

Historic Scotland's Heritage Management Directorate

Scheduling Recommendation

Report of Handling

Scheduling file reference: AMJ/9223/1/2

Official: Dr George Findlater

Site Name: Tinkers' Heart

Type of monument: Scottish Travellers' commemorative site

Date of site visits: 31 March – 2 April 2015

Date of report: 18 June 2015

Recommendation

I recommend Tinkers' Heart is scheduled as a monument of National Importance.

Reasoning

1. I am required to make a recommendation regarding the above in accordance with the Ancient Monuments and Archaeological Areas Act 1979 and Scottish Ministers' policy for the historic environment, specifically the designation of sites for inclusion on the Schedule of Monuments.
2. An Equality Impact Assessment of our scheduling process was undertaken in parallel with the evaluation of the scheduling case. It did not identify evidence of discrimination in the scheduling policies themselves. The Equality Impact Assessment Report will be published on 30 June 2015.
3. Having regard to cultural significance of this site, the main issues in this proposal are (1) the history and development of the site; (2) the meaning of the site to Scottish Gypsy/Travellers; and (3) the context of the site in the built heritage of Scotland.

Background

4. Tinkers' Heart is a heart-shaped setting of quartz stones embedded in the tarmac of what was formerly a junction of the A815 and B839 roads, near Cairndow, Argyll & Bute. It is of significance to the local people and Scottish Travellers as a location where people gathered for meetings and celebrations of events such as weddings and christenings. More detail about the site and the background to this case can be found at www.historic-scotland.gov.uk/tinkers-heart-consultation.htm

5. A petition was lodged on 29 May 2014 with The Scottish Parliament to call on The Scottish Government to direct Historic Scotland 'to investigate what action can be taken to ensure the restoration and preservation of the Heart'. Historic Scotland wrote to the Petition Committee on 3 November 2014 stating that on present evidence the site did not meet the criteria for designation as a monument of national importance.

6. The representations made to Parliament highlighted the importance of the site to Gypsy/Travellers across Scotland, and the settled communities of Argyll. The strength of that information led Historic Scotland to look again at the evidence for the cultural significance of the site. This report forms a key part of Historic Scotland's approach to this investigation by understanding the cultural significance of the site and placing the appropriate value on the site for the people of Scotland. The other investigative work undertaken has been working with the main stakeholders to develop a shared vision for the long term preservation of the site.

7. A public consultation was carried out from 9 March to 15 May 2015, in addition to field and desk based interviews with the main stakeholders. The results of that analysis are contained in the accompanying Reports. The findings and reasoning outlined in this recommendation report are based solely on these reports.

8. In this report, the terminology used regarding travelling communities follows the definitions laid out by Scottish Government. The term 'Gypsy/Travellers' refers to distinct groups – such as Romany Gypsies, Scottish and Irish Travellers – who regard the travelling lifestyle as being part of their ethnic identity. The predominant association of Tinkers' Heart is with one group covered by this term – Scottish Travellers – and therefore this phrase will be used in the report where historical associations are discussed. For discussion of contemporary significance, the broader term Gypsy/Travellers is used. The term 'Traveller' is used to refer to members of the community of Scottish Travellers, both contemporary and historical. The word 'tinker' is only used where there is a historical or current geographical reference. The term 'settled community' is used to refer to those outwith the Gypsy/Traveller community.

9. Scottish Gypsy/Travellers have been officially recognised by the Scottish Government as an ethnic minority in Scotland since 2008 and are protected by the Equality Act 2010, which requires public authorities to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between people with different protected characteristics.

Legislative and policy context

Ancient Monuments Archaeological Areas Act 1979

10. Historic Scotland compiles and maintains a Schedule (a list) of monuments of national importance on behalf of Scottish Ministers. Scheduling is the process of adding monuments to this list. The aim of scheduling is to preserve sites and monuments as far as possible in the form in which they have come down to us today.

11. For a site to be eligible for inclusion on the Schedule of monuments, it must be a monument as defined in Section 61(7) of the Act. In terms of the site of Tinkers' Heart, subsection 7(a) and (b) apply whereby a monument means "any building, structure or work, whether above or below the surface of the land, and any cave or excavation; any site comprising the remains of any such building, structure or work or of any cave or excavation."

12. Section 1(3) indicates that the sole criterion for inclusion of a monument in the Schedule is its "national importance". No further definition is given in the Act but guidance is provided in Scottish Ministers' policy for the historic environment.

Scottish Historic Environment Policy

13. The Scottish Historic Environment Policy (SHEP) sets out Scottish Ministers' policies, providing direction for Historic Scotland, and a policy framework that informs the work of a wide range of public sector organisations.

14. Direction for adding a site to the Schedule of monuments is given in Section 2.4-2.15 and Annex 1. Section 2.12 notes that the criteria and guidance for determination of "national importance" are set out in Annex 1. Section 2.15 outlines a range of principles to underpin the scheduling process, notably that the past of all parts of Scotland should be considered for conservation; scheduling will be based on an appreciation of the regional character of Scotland's past; and that scheduling is an ongoing process whereby each generation will have its own view of what comprises its heritage. Specifically 2.15(h) specifies that the primary consideration in deciding whether or not a site shall be scheduled shall be its intrinsic value to the nation's heritage.

15. SHEP para 2.16 commits Historic Scotland to "add monuments to the Schedule in response to requests and as resources permit, especially types of monument or in areas of Scotland underrepresented in the existing Schedule".

Scottish Historic Environment Policy – Annex 1

16. This annex outlines the three stage process to determine whether or not a site meets the criterion of National Importance: (1) identify and understand the cultural significance of the site; (2) assess the purpose and implications of scheduling; and (3) weigh the cultural significance against one or more of six national criteria.

Other relevant guidance

17. Annex 1 notes specifically at paragraph 1 that the criteria and guidance in SHEP have been informed by, and build on, a body of international conservation charters, one of the most influential being the Burra Charter, which introduced the concept of cultural significance to conservation principles. The main principles of the Burra Charter of relevance to the present review are that (1) There are places worth keeping because they enrich our lives – by helping us understand the past; by contributing to the richness of the present environment; and because we expect them to be of value to future generations; and (2) The cultural significance of a place is embodied in its physical

material (fabric), its setting and its contents; in its use; in the associated documents; and in its meaning to people through their use and associations with the place.

Findings

18. The accompanying Reports outline the results of the public consultation, field and desk-based research. These reports includes interviews with Travellers, local people and the landowner. I have taken the following as the main findings of fact and views in this case.

Site history

19. The site was first documented as the location for a wedding in 1872. Until 1928 it appears the area was marked by a heart shaped piece of grass in the road. When the road was resurfaced in 1928, it appears the heart shape was restored by the road engineers using quartz stones. From 1928 until 1967, the road was in use and several repairs are evident to the stones. A 1950s photograph shows considerably more stones than have survived to the present day. In 1967, a new section of road was made to the east and the original junction, containing the site, was taken out of use as a public road. Since 1967, the site and disused section of road has been located within the fields of Ardno Estate.

The location of Tinkers' Heart

20. Tinkers' Heart sits in an area where the road (now B839) from Lochgoilhead came through Hell's Glen to meet the Loch Fyne road. It has fine views to the west and south west towards Inveraray. The area around is rough pasture. Historically this junction would have been used by travellers getting to St Catherines (which was the nearest boat crossing to Inveraray) and other settlements around the shores of Loch Fyne.

The meaning of the site to Scottish Travellers

21. There is no documented evidence for the primary establishment of Tinkers' Heart. Oral Traveller tradition relates stories from the Jacobite Uprising of 1745. For today's Travellers these stories highlight that the site has always been in this location. The physical form of the stones has no significance to the Travellers beyond marking the spot where meetings were held to strike bargains, to hold naming ceremonies, weddings and commemorations of the dead. It is clear that not all Scottish Travellers were aware of the place or used it. This knowledge reflects the nature of Travellers' lifestyles where extensive family networks may have little or no connection with other Traveller groups.

22. The place clearly holds a high spiritual meaning for many Travellers and in this regard the significance the Heart holds for this community is in the intangible significance of the ceremonies and meetings conducted there. The stones serve, however, as a tangible symbol of the deep relationship of Travellers and their heritage with this location.

The meaning of the site to settled communities

23. For the settled communities in the Cairndow and wider area, the site is held today as an important part of their local heritage. Indeed, it is apparent that those in the settled community have taken or reaffirmed wedding vows at this place. This use has a long history and has increased over time. The significance of the site is noted in several post WW2 travel books, and over time a romantic view of the location and association with Travellers has heightened this significance.

24. The restoration of the site in 1928 by the local government and subsequently in repeated road repairs is an important point in the development of the site. Even by the early twentieth century, a branch of government had accorded a high important cultural significance to the site, which was maintained until 1969. As long standing landowners in the area, Ardno Estate acknowledge the importance of the site and have funded conservation works.

Evidence for similar sites in Scotland and significance of Traveller heritage

25. In contrast to well established research on oral heritage, our understanding of the range and character of built remains associated with Gypsy /Traveller peoples in Scotland is poor. There are no substantive studies that have attempted to collate, document and research contemporary and historic Gypsy/Travellers sites. Nevertheless, as a part of Scottish Traveller built heritage, the stone setting, on current evidence, appears to be unique.

26. Representations received and interviews undertaken during the consultation process have affirmed the importance of built heritage to Gypsy/Travellers. As Travellers have increasingly settled in permanent locations, first-hand knowledge of the lifestyle, sites and traditions, are in danger of being lost. There is widespread acknowledgement that more work is needed to promote and record the distinctive heritage of Travelling communities, both tangible and intangible. Part of this work is being undertaken by Heart of the Travellers, a charity set up by Travellers, who promote Traveller heritage and use Tinkers' Heart as a symbol of their group and aims.

Scheduling assessment

Identification and understanding of cultural significance

27. The new approach used for gathering evidence about the site has materially changed our understanding of its significance. Considering these findings, and following policy at SHEP annex 1 paras 3-6 to fully characterise the cultural significance of the site, I consider that this significance can be expressed under three headings:

Intrinsic Characteristics

28. The monument is a well-preserved site containing the relationship of the stone setting with the tarmac road junction, and the wider landscape location. It has the potential to provide evidence for the distinctive mobile lifestyle, traditions and material

cultural heritage of Scottish Travellers, and their relationship with the land and settled communities. The site demonstrates a sequence of repair and reinstatement testifying to its care and appreciation by previous generations of the state, local settled communities and Scottish Travellers.

Contextual Characteristics

29. The site is a rare example of a permanent physical monument for Scottish Travellers and appears to be unique in its character and purpose. The stones serve as a tangible symbol of the strong relationship of Travellers, and their traditions, to this location at a significant route junction. The significance of this location is heightened by the open and scenic setting of the site, with views towards Loch Fyne and Inveraray. This setting is integral to the understanding of the site in the landscape.

Associative Characteristics

30. The monument is the creation of Scottish Travellers and demonstrates the mobile lifestyle, traditions and beliefs of the group, and interaction with settled communities. The site has a high significance in the consciousness of Gypsy/Travellers and the settled communities of Argyll as a symbol of Scottish Travellers and their heritage.

Purpose and implications of Scheduling

31. I have reviewed the purpose and implications of scheduling and concluded that scheduling is the most appropriate mechanism to protect the site in its current form, and ensure the recognition of its national importance. The area available for scheduling includes the stone setting and wider area of tarmac road to include the complete T junction. The above ground elements of the metal fence enclosing the stone setting should be excluded to allow for maintenance.

32. The field investigation concluded the site is stable and in good condition. There are no immediate threats to the preservation of the monument. A metal fence funded by the owner and local community has been erected around the site to protect the stone setting from cattle. Consultation with owner, local people and travellers concluded there was no objection to the principle of scheduling. The present owner has plans to improve access to the site. There is some divergence amongst stakeholders about the long term vision for the site. This was seen as a long term management issue distinct from the nature and purpose of scheduling in the national interest.

National Importance

33. Having reviewed the cultural significance of the site, I consider that Tinkers' Heart can be defined as of national importance by meeting Annex 1 para 10 a, c, e, and f.

(a) The monument is of National Importance because it has an inherent potential to make a significant addition to the understanding of the past, in particular the mobile lifestyle, traditions and material cultural heritage of Scottish Travellers.

(c) The site is a rare example of a permanent physical monument for Gypsy/ Travellers and appears to be unique in its conception.

(e) The loss of such a unique monument would affect our ability to appreciate the contribution of the heritage of Gypsy/Travellers to Scotland.

(f) The site is an important place in the consciousness of Gypsy/Travellers, recognised as a distinct ethnic group in Scotland.

Conclusion

34. The site meets the legal meaning of monument under the terms of Section 61(7) of the 1979 Act for inclusion on the Schedule.

35. The extensive review, public consultation and analysis has provided new evidence to understand and characterise cultural significance to meet policy at SHEP Annex 1 para 5.

36. There are no objections or impediment to the purpose and implications of scheduling. Furthermore, as I consider it is an appropriate mechanism to secure the future of the site, policy is met at SHEP Annex 1 para 9.

37. The monument meets four of the criteria to define a monument as of national importance, and policy at para 10 has been met.

38. Therefore, having considered that legislation and policy guidance has been met, I recommend that Tinkers' Heart be included on the Schedule as a monument of National Importance.

Dr George Findlater

18 June 2015