

Position statement briefing

Archaeology and Brexit – October 2018

Summary:

Archaeology will be affected when the UK leaves the European Union (EU). This briefing sets out potential impacts and CIfA's advocacy priorities in the final stage of negotiations.

CIfA does not have a political stance on Brexit, but it favours solutions which mitigate negative impacts on archaeology and take advantage of opportunities. We will work to influence how government reacts to issues which arise from any course of action on Brexit.

This document reflects Government's stated aims for the negotiations, its announced or developing post-Brexit policies, and the timetable for Brexit with or without a deal.

We currently identify six key areas of interest.

1. Skills and immigration:

Government must put in place new systems that enable the right level of immigration to meet the UK's archaeological needs. It should also ensure that UK professionals can work in the EU. Provisions should ensure that UK universities maintain research and teaching excellence and attract top students.

We support the Government's stated aim to minimise impact on businesses and citizens.

What is the context?

- There is high demand for archaeological services, driven by infrastructure and house building. This is expected to continue.
- Archaeology is part of the supply chain for construction and development and needs to have access to sufficient expertise to facilitate the delivery of construction projects.
- Non-UK EEA workers make up 15% of the archaeological profession¹. Domestic training provision and measures to retain staff form part of a long-term strategy to ensure sustainability in the profession, but access to non-UK labour helps to meet fluctuations in demand.
- At present, UK archaeologists can access the European markets, where they are often seen as leaders.
- We join many other sectors, including the construction sector², in voicing concern over the potential impact that post Brexit migration restrictions could have on migrant workers.

¹ [Archaeological Market Survey 2017 p.20](#)

² CITB (2018) [Migration in the UK Construction and Built Environment sector](#)

- We are concerned that the recent report by the Migration Advisory Committee³ and outline immigration policy announced by Theresa May at the Conservative Party Conference envisages a salary threshold for migrants which is higher than the average pay for UK archaeologists, making visas inaccessible to the majority of archaeologists.
- Archaeologists are often highly skilled (93% hold Bachelor degrees, 47% Masters, 20% PhD) but are comparatively poorly paid.

What needs to be done?

- Any changes to the immigration system must enable UK archaeological employers to hire skilled non-UK EEA labour. This will require
 - a visa system which recognises current high demand for archaeological labour, eg through a shortage occupation list. It may be desirable for archaeology – as a registered Construction occupation – to seek any exemption as part of this wider group of skills
 - a visa system which recognises demonstrated competence and not simply salary (eg through professional accreditation⁴)
 - a system which does not restrict appropriately competent UK professionals working overseas
- We would welcome the chance to explore with government how to meet these requirements.

2. Funding:

Funding received from EU sources must be replaced or continued after Brexit, and current levels maintained. There may be opportunities to enhance approaches to strategic distribution of funding with new UK and devolved schemes. However, UK research institutions must retain access to research networks and EU Framework Programmes.

We support Government's stated intention to seek continued access to some EU programmes through cooperative accords⁵. This is particularly important for the research sector, which in addition to receiving funding is part of a wider European research network, which enables knowledge sharing and collaboration in seeking to advance the discipline. However, we are concerned that precedents (eg Switzerland) have proven problematic.

What is the context?

- UK universities have a world-leading reputation in archaeological research. UK institutions have spearheaded international research into new methods of scientific analysis (such as the sequencing of ancient DNA). Part of this success is due to the availability of EU funding for large, multinational research projects.
- Of all disciplines, archaeology receives the highest proportion of its total academic research funding from the EU (38%). UK university archaeology departments have been extraordinarily successful in bidding for European research grants, receiving 35% of the total pot for the subject area (France, Germany and the Netherlands received the next most at 10% each).

³ [Migration Advisory Committee \(2018\) EEA Migration in the UK: Final report](#)

⁴ The Government's July 2018 white paper proposes a system for mutual recognition of professional accreditations. In archaeology there are no other viable accreditations, with the exception of the Institute of Archaeologists of Ireland. However, ClfA has members in over 30 countries and accreditation would be an appropriate benchmark for judging skill levels of migrant workers

⁵ White paper section 3.4

- European Structural Investment Funds have played an important role protecting UK heritage, contributing £362 million between 2007-2016 in England and Scotland alone. Most has been via the European Agricultural Fund for Rural Development, including LEADER, (£282m), the European Regional Development Fund (£79m), and the European (Maritime &) Fisheries Fund (EMFF) and European Social Fund (ESF)⁶.
- Other EU transnational funding, such as Horizon 2020, has contributed 151m in England and Scotland over the same period.
- In the past 20 years, the UK has seen huge benefits in the conservation and enhancement of the rural historic environment from investment under the Common Agricultural Policy. For example, in England, 24,000 heritage assets and over 355,000 hectares have been brought into good management and 788 scheduled monuments removed from the national heritage at risk register (see *Environment* section, below).
- Regional development funding has given an important boost to eligible areas of the UK, particularly in former industrial and historic areas. ERDF funding has been an important source of match funding for UK and devolved funding, such as from local authorities and the Heritage Lottery Fund.

What needs to be done?

- Government needs to ensure that EU funding sources are maintained or replaced and appropriately distributed.
- We would welcome the opportunity to help government design its proposed Shared Prosperity Fund.
- Government must also ensure that UK archaeology and heritage research is well supported, with the same level of funding and frictionless access to EU research networks and top researchers.

3. Environment (agriculture and marine):

The environment must be treated as including cultural heritage/historic environment, including the marine historic environment⁷. The Department of the Environment Food and Rural Affairs (DEFRA) must deliver on the promise of a system of public money for public goods, and ensure that future spending on the environment takes account of the benefit of investment in heritage. This is included as one of the six key areas of focus for the 25-Year Environment Plan, but in recent years has suffered an ever-declining share of overall spend (less than £20m in 2017, out of £3.2bn).

What is the context?

- Heritage is an important part of our rural and marine environment. Brexit presents an opportunity to improve integrated management of the natural and historic environment by providing greater parity between the historic and natural environment. Until now, EU directives have not covered the historic environment, presenting a bureaucratic barrier to integrated management.
- Government now has the chance to improve the quality of environmental management by developing a more integrated system of managing and valuing the natural and historic environment,

⁶ EUCLID research for Historic England (2017):

<http://content.historicengland.org.uk/content/docs/research/assessing-eu-contribution-to-englands-historic-environment.pdf> and Historic Environment Scotland (2017): <https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationId=4a41c670-4e72-47b6-86e6-a79200c37cd8>

⁷ Note: the term historic environment is used extensively in planning policy and in protection regimes for cultural heritage assets, but the phrase cultural heritage is more common in environmental policy. Cultural heritage encompasses the historic environment – e.g. heritage sites, physical assets, landscape features – as well as broader elements of material and intangible culture and identity – e.g. agricultural practices, relationships to nature.

including clearer inclusion of the historic environment in terrestrial and marine environmental protection regimes.

- We are encouraged that the 25-Year Environment plan and draft Agriculture Bill both give parity to the historic and natural environment, on paper. The draft Fisheries Bill also includes archaeological and historical features within the definition of the marine environment.
- The legacy of investment in rural heritage through agri-environment schemes is substantial, but there is still much room for improvement. Almost a third of Scheduled Monuments are still affected by agricultural practices (such as cultivation).
- Historic environment agri-environment options are popular with land managers, having been frequently over-subscribed in past schemes, and they have produced strong evidence of benefit and value for money.
- Government has identified an opportunity to revolutionise the way in which it supports the environment through agricultural subsidy and has committed to ensuring that this will be the first generation to leave the environment in a better state than we found it in.
- We applaud Government's approach to agricultural subsidy based on the production of public benefit. We also support strong legislation on environmental principles and the proposed new Environmental Regulator.

What needs to be done?

- Government must deliver on its promises to develop a new Environmental Land Management Scheme (ELMS) based on the principle of public money for public goods. It must ensure a statutory footing for environmental principles and create a strong new regulator to oversee environmental objectives.
- The draft Agriculture Bill does a good job in explicitly presenting cultural heritage as one of the seven areas in which subsidy can be provided for public goods. We will support government to deliver this objective effectively through its policy instruments. With a forthcoming Environment Bill and environment regulator proposed, Government must ensure that its vision for the environment unequivocally includes the historic environment and is achieved through appropriate accounting mechanisms.

4. Tourism:

Government should seek to recognise the role of heritage in UK tourism, and should support this industry by investing in conservation and protection of heritage assets, and through its planning policy.

What is the context?

- As tourism becomes a more important part of the UK economy, it is important the steps are taken to invest in conservation and sustainable management of heritage sites. Outdated and insufficient tourist infrastructure is damaging our environment and the quality of life of communities in tourist areas.
- The conservation deficit of many historic sites, including those managed by English Heritage, is compounded by increased tourism.
- Current trends show an increase in foreign tourism which is expected to continue after Brexit, with a weak pound driving both domestic tourism and foreign visitors. Heritage is a key driver of this tourism, generating £16.4 billion per annum in spending by domestic and international visitors. Five of the top ten most visited paid attractions in England are heritage sites.

What needs to be done?

- Governments must ensure that national heritage agencies (and the English Heritage charity, in England) and the Heritage Lottery Fund are able to invest freely in sustaining and enhancing heritage sites and organisations.

5. Planning:

Provisions for Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) must remain central to planning and place-making. The UK must make the most out of its heritage, making better places to live, and using it to deliver social, economic, and environmental benefits to society.

What is the context?

- EIA and SEA have placed a strong emphasis on the sustainability principle at the heart of the planning process. EU Directives have ensured that the UK could not easily degrade or undermine protections for the historic or natural environment.
- In recent years, pressure for housebuilding has seen a deregulatory agenda threaten the balance of sustainable development. If Brexit contributes to push up import prices, additional pressure on land to produce a greater proportion of the UK's food or raw materials (such as stone and aggregates), there could be further strain on social and environmental sustainability.

What needs to be done?

- As the UK gains greater control over the direction of planning, Government should ensure that the principles of sustainability and place-making are at the heart of the formally stated purpose of the planning system, and that planning law and policy are framed and implemented accordingly.

6. Cultural property

Government must maintain systems of cooperation and information sharing on the control of import/export and return of cultural goods between the competent national authorities across Europe. A continuing financial contribution may be necessary to ensure the administration of the Internal Market Information System (IMI).

What is the context?

- EU Directives and cooperative programmes control the trade and restitution of cultural goods within the single market. Without continuing agreements EU Directives and systems would cease to function effectively.
- This problem would be particularly acute in relation to movement of cultural goods over the Irish border and could additionally, complicate the delivery of archaeological projects on both sides of the border.
- Current EU regulation of cultural property relies upon the mechanisms of EU bodies and instruments, such as the Internal Market Information System (IMI), along with the ultimate jurisdiction of the European Court of Justice (ECJ) to settle disputes. Without these instruments the UK will need to agree new models for cooperation.

What needs to be done?

- The Government must commit to putting in place all necessary measures for continued cooperation on the import/export and return of cultural goods. This includes an obligation for the UK to restrict trade in EU member states' cultural goods and for the EU to restrict trade in UK cultural goods.

Conclusion:

Whatever the outcome of Brexit negotiations, ClfA will continue to press government to represent the needs of UK archaeology. Our priority is that archaeology is recognised as one of the affected disciplines and that effective solutions are found to issues arising from any impacts of leaving the EU, and that opportunities are capitalised upon.

At present, Government is seeking agreement of a deal which includes a transition period of (at least) two years during which the UK can prepare for its regulatory and financial separation from the union. While the type of deal will influence the nature and scale of opportunities and threats, any deal will enable government to focus on

- 1) agreeing ongoing cooperation with the EU27 (eg research networks, antiquities trade/cultural property)
- 2) replacing mechanisms from which the UK will withdraw after transition (eg sources of funding, Common Agricultural Policy (CAP), environmental protection regimes)
- 3) putting in place a new immigration system
- 4) improving regulation (eg environment, VAT)
- 5) developing UK strengths (eg heritage tourism, global soft power influence)

If it is not possible to agree a deal by the deal by the negotiation deadline, the challenges are likely to be much greater and the time to prepare much shorter.

- 1) New barriers to migration would immediately exacerbate shortages of skilled archaeologists leading to an inability to meet demand for archaeological services
- 2) UK professionals working in the EU could have their work disrupted, including many who work across the Irish border
- 3) Universities would immediately lose access to funding and research networks, harming economic viability of many UK archaeology departments and making UK research institutes less competitive
- 4) Longer term, the impact of tariffs on the UK's economic competitiveness could put additional pressures on land use and planning (eg due to a greater need to produce more of domestic food requirements, building materials)
- 5) Cultural property protection systems would cease to function on 30 March 2019

ClfA's advocacy resources are limited and need to be prioritised. We envisage focusing on ensuring that the historic environment benefits from opportunities such as reforming CAP, and that changes to funding, immigration or cooperation with the EU benefits archaeology, or at least does not harm it. If there is no deal, our room for influence will be very limited and our prioritisation harsh.

Do you have specialist knowledge of this policy area?

Volunteer to be a consultant on ClfA policy in this area and help us shape our advocacy.

Email rob.lennox@archaeologists.net for details.

For further information about ClfA's advocacy and campaigns and for details on other priority areas, visit www.archaeologists.net/advocacy or email info@archaeologists.net.