

Cynulliad Cenedlaethol Cymru / National Assembly for Wales

Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol a'r Pwyllgor Materion Allanol a Deddfwriaeth Ychwanegol / The Constitutional and Legislative Affairs Committee and the External Affairs and Additional Legislation Committee

Ymgynghoriad ar Fil yr Undeb Ewropeaidd (Ymadael) a'i oblygiadau i Gymru / The European Union (Withdrawal) Bill and its implications for Wales

EUWB 14

Ymateb gan Sefydliad Siartredig i Archeolegwyr / Evidence from the Chartered Institute for Archaeologists

Dear Madam or Sir,

Thank you for the opportunity to submit evidence to this consultation. Our response relates to the potential impacts of the current uncertainties implicit in the European Union (Withdrawal) Bill as they have the potential to affect archaeology. These uncertainties reflect upon potential for legislative changes to affect the way in which protections for the historic environment are provided, and how funding will be re-apportioned.

We also strongly support the need for a proper understanding of how legislative scrutiny will be applied over the process, both by the UK Government and the Welsh Assembly and other devolved administrations.

Of course, some of our concerns go beyond the precise terms of the Bill, affecting, as they do, wider issues of domestic legislation, EU policy and funding programmes, and impacts upon UK higher education and construction sector funding and market conditions.

About the Chartered Institute for Archaeologists

CIfA is the leading professional body representing archaeologists working in the UK and overseas. CIfA promotes high professional standards and strong ethics in archaeological practice, to maximise the benefits that archaeologists bring to society, and provides a self-regulatory quality assurance framework for the sector and those it serves.

ClfA has over 3,300 members and more than 80 registered practices across the United Kingdom. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

ClfA's Wales Group represents members practising in the public, private and voluntary sectors in Wales.

Detailed comments

Our concerns relating the EU (Withdrawal) Bill are summarised in the following four points:

- (1) It is crucial that Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA) regulation is retained in domestic legislation. Given that these principles are devolved and codified in planning legislation in Wales already, there should be no opportunity for commitment to these instruments to wane in the process of undertaking legislative changes as a result of the WU (Withdrawal) Bill.
- (2) There is, as yet, no indication how the UK will seek to replace some EU funding programmes like Horizon 2020. Other schemes, such as the Common Agricultural Policy have had some details proposed at a UK level, but still remain unclear on the issue of whether a replacement will be managed at a UK level or by devolved administrations.
- (3) This question of what powers and responsibilities will be devolved or retained at a UK level will create additional pressures on devolution settlements. Particularly agri-environment schemes, which, in Wales could cause considerable impact due to the relatively large area of agricultural land per capita. This would put pressure on a devolution settlement which is currently worked out per capita, rather than per hectare and therefore could cause a budget deficit in Wales, if a CAP replacement programme were to be devolved.

Outside the core issues of the EU (Withdrawal) Bill, ClfA also continue to be concerned about

- (4) how higher education institutions will maintain access to funding and research networks at a European level so as not to be disadvantaged in the marketplace for attracting non-UK talent into research roles and how they will maintain student numbers.
- (5) how Brexit will impact the movement of labour, and particularly the potential to disadvantage UK archaeology businesses who need to employ foreign nationals to meet demand in the UK archaeology sector.
- (6) the need to be mindful of impacts upon domestic agendas and austerity plans which more than ever need to ensure that protections for the historic environment in the planning system are maintained despite the likelihood that greater strain and flux in the construction and development sectors will deepen deregulatory planning agendas.

If there is anything further that we can do to assist, please do not hesitate to contact us.

Yours faithfully,

Rob Lennox BSc (Econ) MA PhD

Policy Advisor, Chartered Institute for Archaeologists