

REPORT OF CORPORATE DIRECTOR PLACE

ARCHAEOLOGICAL ADVICE TO LOCAL PLANNING AUTHORITIES IN NOTTINGHAMSHIRE

Purpose of the Report

1. To inform Committee of the work undertaken with the District and Borough Councils, in their role as Local Planning Authorities, on the provision of expert archaeological advice.
2. To approve the cessation of archaeological advice provision to the District and Borough Councils on an unpaid basis.

Information and Advice

3. Local Planning Authorities (LPAs) have need of access to expert archaeological advice to ensure the risk of harm to the archaeological heritage is minimised and to contribute to positive strategies for the conservation and enjoyment of the historic environment, in accordance with:
 - the National Planning Policy Framework
 - National Planning Policy advice and practice guidance relating to the historic environment
 - Ancient Monuments and Archaeological Areas Act (1979)
 - Town and Country Planning Acts (1947, 1995 and any subsequent Amendments and Regulations).
4. The County Council has historically provided advice on archaeological matters to the District and Borough Councils for their role as Local Planning Authorities. Budget reductions and associated structural changes within the Conservation service, however, mean that the County Council is no longer able to provide this advice to the District and Borough Councils on an unpaid for basis.
5. Discussions have, therefore, been taking place with a view to bringing Nottinghamshire in line with surrounding counties, where the County Councils provide expert archaeological advice that is charged for and managed through a Service Level Agreement (SLA). A draft SLA was sent to all the local planning authorities in the County in June 2017 for their consideration. Under the SLA, the County Council would provide management and accommodation for the post(s) required to deliver the service and expert oversight through the Senior Practitioner Archaeology (County Archaeologist).

6. The District and Borough Councils have not indicated that they wish to go forward with the proposed SLA. The role of the County Council in the provision of the expert archaeological advice they require in their roles as Local Planning Authorities will, therefore, cease with immediate effect. The County Council will continue to employ an archaeologist to support its own planning and wider curatorial roles and will continue to maintain the Historic Environment Record for the County.

Other Options Considered

7. The option for the County Council to continue to provide archaeological advice without charge has been considered. The Council has endeavoured to support the District and Borough Councils with a reduced level of archaeological advice while discussions have been taking place. This has, however, proved to be unsustainable, given the reduced capacity available and has had a negative impact on the County Council's own requirements. This has, therefore, been discounted as an option.
8. The option for the County Council to offer a paid for archaeological advice service on a case by case basis was also considered. The capacity to provide a service on this basis does not, however, exist and the risks associated with creating the capacity without guaranteed funding were considered to be too high.

Reasons for Recommendation

9. It is for the District and Borough Councils to ensure that they have access to expert archaeological advice for their roles as Local Planning Authorities. The County Council no longer has the capacity to provide this advice to the District and Borough Councils on an unpaid for basis and the offer to provide this service through a charged for Service Level Agreement has not been taken up.

Statutory and Policy Implications

10. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

- 1) That Committee approves the cessation of archaeological advice to the District and Borough Councils on an unpaid for basis, with immediate effect.

Adrian Smith
Corporate Director Place

For any enquiries about this report please contact: Heather Stokes, Team Manager Conservation

Constitutional Comments [SLB 07/09/2017]

11. Communities and Place Committee is the appropriate body to consider the content of this report.

Financial Comments [RWK 07/09/2017]

12. There are no specific financial implications arising directly from the report.

Background Papers and Published Documents

- None

Electoral Division(s) and Member(s) Affected

- All