

## Workshop 4

### New models for advisory services: potential future roles for local authority archaeology services and Historic England

25<sup>th</sup> September 2017, 10.30-16.30

#### Central Methodist Church

St Saviourgate, York

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(<http://www.centralmethodistyork.org.uk/introduction-to-central/where-we-are/>)

### Programme

10.30 – 10.45	Arrival and tea/coffee
10.45 – 11.30	Introduction and briefing
11.30 – 12.30	Workshop session 1
12.30 – 13.00	Plenary session 1: share outputs from workshop session 1, and agree topics for workshop session 2
13.00 – 13.30	Lunch
13.30 – 15.00	Workshop session 2
15.00 – 15.15	Tea/coffee
15.15 – 16.30	Plenary session 2: report back from workshop session 2 and agree recommendations/priorities for action

Workshop leads: Jan Wills (CIfA)  
Trevor Mitchell (Historic England)  
Duncan McCallum (Historic England)

Workshop facilitator: Ken Smith (Consultant)

### Themes and questions

Online discussion on **20<sup>th</sup> – 21<sup>st</sup> September** and the subsequent workshop on **25<sup>th</sup> September** will focus on the delivery of local archaeological advisory services through Local Authorities and Historic England

#### Morning session

1. To what extent are the current roles and functions of public sector (local authority and Historic England) archaeological services appropriate for the future?

What are the pressures and the opportunities for change?

#### Afternoon session

2. What examples do we have of modifications/developments in regional and local structures that have occurred to date? How successful/unsuccessful have these been? Does practice need to change to meet new pressures? If so how?

3. Are there other ways, tested or untested, of delivering these services? What can we learn from new/different service models e.g. Wales; GLAAS; Worcestershire; South West Heritage Trust?

4. We have both local authority services and HE regional teams. Is this the most-appropriate division of labour/responsibilities? Would more-collaborative working, both regionally and nationally, be more effective?

5. What is Historic England's strategic role in respect of local authorities? How can Historic England and the rest of the sector work together, post-Howell Redesdale report and the Culture White paper, to sustain and develop local advisory services?

6. Statutory local authority services – is this a concept worth fighting for or is it a non-starter? Would improved definitions of services/standards/performance be beneficial? Should these be linked to funding and in what way e.g. payment by results?

#### Afternoon plenary session 2

7. A plan for the future: what are our short and long term priorities for change?

- Are there lessons we can learn from recent experiences in England and elsewhere?
- Are there changes we as a sector need to make to the way we do things? What short-term/long-term strategies exist/need to be developed?
- Are there specific legislative and/or policy changes that we need to lobby for?

## **Workshop 4**

### **New models for advisory services: potential future roles for local authority archaeology services and Historic England**

#### **Background**

##### **Introduction**

This short background paper provides information to support online and workshop discussions of the future of local authority and Historic England advisory services. The focus is on archaeology services, rather than historic environment services as a whole, while recognising that integrated services are delivered by some organisations and that many of the local authority issues discussed below affect conservation officers as well as archaeologists. The focus is also on the services rather than the legislation and policy framework within which they operate, issues that were discussed in Workshop 3 and which are, of course, closely linked.

##### **Local authority archaeology services: background**

Archaeology services, established in English local authorities from the 1960s onwards, created embryonic records systems (later to become Sites and Monuments Records, SMRs), and sought to monitor and mitigate the impact of development, often through the maintenance of their own fieldwork staff and the use of government 'rescue archaeology' grants. The services were most commonly found in County Councils (often in museums), but were also created in many historic cities where the pace of post-war development and its impact on the historic environment had been perceived to be particularly severe. The services were actively encouraged and financially supported throughout the 1970s and early 1980s by the Department of the Environment (DoE) so that by the end of the latter decade there were County Archaeologists and SMRs in all counties in England, full national coverage being completed in 1989.

As Planning Policy Guidance 16 *Archaeology and Planning* (PPG16, 1990) introduced policies and procedures that transformed the management of archaeology through the planning system English Heritage followed through previous DoE support for local authority services, helping to fund the appointment of archaeological planning advisers where they did not yet exist. This recognised the crucial curatorial role that these staff were to play in providing the advice within the planning system that determined archaeological planning policy at local level, initiating the process of establishing the archaeological implications of individual development proposals and following this through to regulating archaeological fieldwork through specifying what was needed and monitoring its conduct. A further national initiative, following the publication of the *Monuments at Risk Survey* in 1998, enabled the creation of Countryside Advisers in many areas to address management issues in the rural landscape through (in particular) the use of agri-environment and other land management schemes.

Post-PPG16, the shape of the services was also fundamentally affected by the increasing separation of the advisory (curatorial) from the fieldwork role (consultants/contactors) as local authorities divested themselves of staff now providing a service paid for by developers. Some local authorities, however, still retain this dual role (and *cf* the four Welsh Archaeological Trusts).

In addition to the direct funding of posts by DoE/English Heritage (always intended to encourage local authorities to take on the post themselves after three years of tapered funding) there was strategic support in the form of grant-aided SMR (later Historic Environment Record, HER) enhancement. National programmes such as the Monuments Protection Programme, the National Mapping Programme, Historic Landscape Characterisation, the Extended Urban Surveys and Urban Archaeological Databases were carried out as partnerships between English Heritage and local authorities with direct programme-based funding that further enhanced the services' capacity. Many local authorities also developed their services to include education and outreach programmes, acquiring Heritage Lottery Funding and utilising European money for this and other projects.

Local Authority services probably reached their peak in terms of size, budgets and range of activities in the early 2000s. They are non-statutory services but support the delivery of many statutory functions. While cuts in budgets since then (see below) may have reduced the scope of most services the core functions remain the provision of information and specialist advice on the management of archaeology (particularly that which is not designated) through the planning system, and more widely on the management of change in the historic environment that affects heritage assets with archaeological interest including sites, structures, settlement and landscapes. The ALGAO website currently defines '*four key functions*' for archaeology services within local government '*in order to encourage the identification, recording, protection, management, interpretation and promotion of archaeological sites and monuments*:

- *To develop and maintain comprehensive public information resources (Historic Environment Records/Sites and Monuments Records) for the understanding and enjoyment of the historic environment.*
- *To ensure that all development and other land use takes into account the need properly to conserve the archaeological heritage.*
- *To conserve the historic environment by improved management through, for example, agri-environment schemes which can protect archaeological sites from the damaging effects of ploughing.*
- *To promote awareness, understanding and enjoyment of the historic environment through education and outreach programmes.'*

<https://www.algao.org.uk/localgov/>

### **Local authority archaeology services: recent trends and current issues**

Of critical importance to the successful delivery of the current system (post-PPG16) for managing archaeology are the information provided through HERs and the specialist advice on non-designated archaeology provided by Local Authority staff (Trow 2016). Local authority museums are also of vital importance as the recipients of the archives created (in particular) by

development-led archaeological investigation; discussed during Workshop 1 this issue is not further considered here. In the three 21<sup>st</sup>-century Challenges for Archaeology workshops to date the importance of the local authority input for the success of the current system has been stressed by participants, and trends in recent years affecting the level of that input have been identified as significant issues that threaten its successful operation.

### *Funding*

Cuts in Local Authority budgets and reductions in the availability of external funding began to have an impact even before the financial crisis of 2007-8. However, beginning with the Comprehensive Spending Review of 2010, substantial cuts to public sector budgets have affected both Historic England and local government. Direct reductions in central government grants, and a parallel increase in demand from some priority services (especially adult social care), have led to reductions in departmental budgets (of 30-40% or more). Reduced Historic England budgets, and the completion or cessation of many national programmes, have also had a knock on effect on local authority services through reductions in grants. Smaller teams are also less able to bid for or utilise external funding.

As budgets have declined there has been an increased emphasis on charging for HER information and for advice; there is huge variation between local authorities in both the range and level of charging from none, to authorities which are seeking to support their specialist services entirely from such charges. Much of the potential to raise income from charging is, however, dependant on the amount and value of development locally. Recent government changes in policy regarding the level of planning fees, and their end use, may assist in the future support of specialist staff.

As the basis of local government funding changes around 2020, with the removal of the central government support grant and future dependence on council tax and business rates, the existing resource differences between local authorities is likely to increase, exacerbating regional differences.

### *Capacity*

The 2016 *Local Authority Staff Resources* survey undertaken by Historic England, ALGAO and IHBC, showed there were 271.7 FTEs providing information and advice on archaeology in local authorities in England, a fall of 33% since 2006. The 2017 survey (available in early September) is anticipated to show a further fall in numbers. While there is diversity across services, and it is difficult to generalise, consequences of this significant fall in numbers include a reduced range of activities, smaller teams and more authorities with a single specialist, some reductions in expertise, reduced service standards, a loss of senior staff as levels of management are reduced and a consequent reduced capacity to influence corporate policy directions. Some local authorities do not have access to the information and advice that they need, e.g. to implement government planning policy, or may source it externally only for a specific project. There is little up to date information from users on the impact of reduced capacity, although a recent survey in the south-west region identified negative impacts including reduced levels of service and less experienced staff while emphasising the 'vital role' that such services play 'in facilitating

*development in ways that add economic and social value without compromising heritage considerations’.*

### *Structures*

Local government in England (following periodic restructurings), and the location of archaeology services within it, is diverse and continues to change on a piecemeal basis as authorities seek to save money by combining services with neighbouring authorities. From the outset many archaeological teams have been combined services e.g. counties delivering a service to both county and district authorities in two-tier areas, and lead authorities delivering to groups of authorities in metropolitan areas. While no radically different service models seem to have emerged in response to budget cuts there are some examples of outsourcing of services into trusts, and of the commissioning of private sector companies for certain tasks. Elsewhere in the UK the Welsh system of four charitable trusts, first established in the 1970s and delivering both curatorial and commercial services, provides an example of a different service model.

### *Policy and legislation*

The National Planning Policy Framework (2012) integrated planning policy for the historic environment into the mainstream and gave a clear role for local authorities in its protection but one that depends on access to appropriate information and advice. Since then there have been many planning reform initiatives to support (for example) government objectives in achieving house building targets. Some of these actual and proposed changes have the potential to erode key elements of the post-PPG16 system of protecting archaeology through the planning system, e.g. the increase in permitted development rights, the introduction of Permission in Principle for specific categories of development and specific sites, and the questioning of the use of pre-commencement conditions. The full impact of these changes is not yet clear.

### *Long-term aspirations for changes in the status of local government services*

Recognition of the importance of local government services, and of their vulnerability as non-statutory functions, led to many discussions in the 1990s about the need to make them a statutory requirement, and a number of attempts were made to insert clauses into proposed legislation to achieve this. A proposal that it should become a statutory duty for every local authority to either maintain or to have access to an HER was included in the draft Heritage Bill of 2008, with general political and sector support, but this Bill did not proceed into legislation. Since then HERs have gained status from the policies in the NPPF, and their role as the primary source of information about the local historic environment has been confirmed through the Historic England Heritage Information Access Strategy (HIAS).

Concern about local government services escalated within the sector as post-financial crisis budget cuts began to make an impact. In 2014 two members of the All Party Parliamentary Archaeology Group (John Howell MP and Lord Redesdale) were commissioned by the then Culture Minister (Ed Vaizey MP) to undertake a review of local authority archaeology services. The many submissions to the review provide a point-in-time statement of the situation in local government,

while the recommendations suggested *‘a voluntary developer contribution which would establish a ring-fenced national fund which will help financially secure local authority HER services’* linked to agreed standards for authorities in receipt of the funding. It further concluded that, if the levy proved to be unsuccessful, *‘the government will also have to consider imposing a statutory duty to protect archaeology services’*.

Non-publication of the report, and changes in government, meant that there was little immediate follow up. The Culture White Paper (2016) committed Historic England to *‘identify how it can offer more support to local authorities, reduce demand on local services through clearer guidance, and encourage new delivery models that make the best use of resources, in the light of the review of local authority archaeological services’* (2.3, 36). A further commitment concerned the future of HERs: *‘We will ask Historic England to work with local authorities to enhance and rationalise national and local heritage records over the next ten years, so that communities and developers have easy access to historic environment records* (2.4, 39).

Since then discussions between Historic England and sector representatives have taken place, and it is anticipated that an update on progress in taking forward the first of these commitments will be available to inform discussions at the workshop. Work on HERs is being taken forward by HIAS (<https://historicengland.org.uk/research/support-and-collaboration/heritage-information-access-strategy/>)

In parallel with these most recent developments in England HERs in Wales have recently become a statutory service (as a part of a broader review and reform of legislation, policy and guidance) in the form of a duty for Welsh Ministers to ensure that an Historic Environment Record for each Welsh local authority area is compiled and maintained.

### *Conclusions*

Workshop discussions take place at a particularly uncertain time in public policy resulting from, for example, the decision of the UK to leave the European Union, continuing cuts in public funding and the changes in the financing of local government, and the extensive legislative programme necessitated by Brexit. There are risks and opportunities in the latter; there may be opportunities for productive legislative and policy change while there is also concern about potential changes to, for example, mechanisms for sustaining the rural environment post-CAP.

### **References and further background**

*An Eighth report on Local Authority Staff Resources*, Sarah Reilly 2016, for Historic England, ALGAO and IHBC, <https://content.historicengland.org.uk/images-books/publications/eighth-report-la-staff-resources/eighth-report-la-staff-resources.pdf/>

*The future of Local Authority Archaeology Services*, John Howell MP and Lord Redesdale 2014, [http://www.appag.org.uk/future\\_arch\\_services\\_report\\_2014.pdf/](http://www.appag.org.uk/future_arch_services_report_2014.pdf/)

*Culture White Paper*, 2016,

[http://www.legco.gov.hk/general/english/library/stay\\_informed\\_overseas\\_policy\\_updates/culture\\_white\\_paper.pdf](http://www.legco.gov.hk/general/english/library/stay_informed_overseas_policy_updates/culture_white_paper.pdf)

*25 Years of Development-led Archaeology in England: Strengths, Weaknesses, Opportunities and Threats*, Steve Trow, 2016, <http://www.ff.uni-lj.si/sites/default/files/Dokumenti/Knjige/e-books/recent.pdf/>

*Impact of Heritage Sector Local Authority Funding Cuts in South West England*, ERS for Historic England, 2017, <https://content.historicengland.org.uk/images-books/publications/impact-of-heritage-sector-la-funding-cuts-sw-england/impact-heritage-sector-la-funding-cuts-sw-england-140617.pdf/>

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August 2017

### **Historic England archaeology services: background**

Historic England is a consultee on a variety of consenting regimes which manage impacts on archaeological remains. Consultation criteria were last revised in 2015. Chief among these is Scheduled Monument Consent, which it processes on behalf of DCMS, providing advice to the Secretary of State. In 2016-17 it responded to 1,200 applications (1,150 in 2015-16). Consultation numbers for other regimes are as follows: Surveying (S.42) Licences: 166 (166); Protected Wrecks (S.1) Licences: 108 (208); Marine Licences (MMO responses): 258 (421). Historic England is also a consultee on planning applications for “development likely to affect the site of a scheduled monument “. In 2016-17 it responded to 9,228 consultations on planning applications in total (9,332 in 2015-16), of which only a portion related to scheduled monuments. It is not possible to accurately define the criteria under which any consultation was sent to Historic England. But the number of planning applications responded to in 2016-17 where the role of lead assessor was allocated to an inspector or assistant inspector of ancient monuments was c.1700. Historic England employs c.27 inspectors or assistant inspectors of ancient monuments within its regional Development Management teams. Raw averages for 2016-17 are therefore 44 SMC and 83 other consultations per head per year.

Historic England’s Development Management inspectors also provide pre-application advice on proposals affecting scheduled monuments and investigate unauthorised works and damage. Its Historic Environment Planning Advisers work to ensure that local plans have a positive strategy for the conservation of the historic environment, including sound policies covering archaeology. Its Science Advisers promote best practice by supporting local contractors and curators with technical advice. Research staff identify and assess sites and Listing staff make recommendations on the designation of sites to DCMS. These and other staff also contribute towards the management of archaeology in a variety of other ways.

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August 2017