

ABERDEEN CITY COUNCIL

COMMITTEE	Communities Housing and Infrastructure
DATE	19 May 2015
DIRECTOR	Pete Leonard
TITLE OF REPORT	Archaeology - Service Level Agreement with Aberdeenshire Council
REPORT NUMBER	CHI/15/168
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

This report seeks Committee authorisation to enter into a Service Level Agreement (SLA) with Aberdeenshire Council to provide the City Council with an archaeological service. Aberdeenshire Council would deliver expert archaeological advice and assistance in relation to local development plans, master plans, planning and other applications as well as ongoing maintenance and updating of the Sites and Monuments Record (SMR) for Aberdeen City.

2. RECOMMENDATION(S)

It is recommended that the Committee: -

- i) approve the proposal for the City Council to enter into an SLA with Aberdeenshire Council for them to provide us with an archaeological service for an initial period of 3 years, subject to review at the end of that period as to whether it will be continued thereafter.
- ii) approve the total estimated expenditure of £90,000 over 3 years for Aberdeenshire Council to provide the archaeological service during that period.

3. FINANCIAL IMPLICATIONS

Aberdeenshire Council have quoted a cost of £90,000 for a three year SLA – equating to £30,000 per annum paid half yearly or quarterly. The SLA would be funded by the income received by the Planning and Sustainable Development Service for planning applications (£1.45 million for financial year 2014/15).

4. OTHER IMPLICATIONS

There would be a minimal cost associated in the time required for the Council's legal team to input into the drafting of a Minute of Agreement between the two Councils.

The Council is proposing to purchase these archaeological services directly from Aberdeenshire Council without seeking quotes from any other organisations or companies who may be able to provide these archaeological services. There is therefore a very remote risk of being challenged for failing to advertise this opportunity more widely. However, this proposal is fully aligned with the move towards greater partnership working and sharing of resources in the public sector and represents the most efficient use of resources.

There are no other anticipated legal, resource, personnel, property, equipment, sustainability and environmental, health and safety and/or policy implications.

5. BACKGROUND/MAIN ISSUES

Background

Following the retirement of the City Council's Keeper of Archaeology on the 26th November 2014, that post within the City has undergone restructuring. As a result ACC Museums & Galleries Service now employs an archaeologist specifically to deal with museum collections only, and not with planning related matters. Consequently there is no longer any specialist archaeological expertise available in the Council for advice and input into the planning process (ie. into development plan policy making, masterplanning or individual planning and other applications).

The record of archaeological sites in the City - the Sites & Monuments Record (SMR) - has not been updated since the start of 2010 and there is a significant amount of work required to bring this up to date and, thereafter to maintain the SMR in perpetuity.

Officers from ACC approached Aberdeenshire Council in December of 2014 to explore the possibility of entering into an SLA for them to provide an archaeological service as outlined above. An agreement was reached for a temporary, limited, archaeological service provision to be supplied to ACC under a fixed contract. This service is ongoing pending the establishment of a more permanent arrangement for archaeological advice. With this longer term arrangement in mind officers from Aberdeenshire Council have produced an option report for the provision of an archaeology Service for Aberdeen City Council under an SLA. This forms the basis of the information in this report. Officers at Aberdeenshire will be reporting separately to relevant

Aberdeenshire Committees with a view to gaining approval from that Council to progress jointly with the City Council to put in place an SLA.

Proposed scope of work to be undertaken by Aberdeenshire Council Archaeology Service under a Service Level Agreement

Under the SLA between Aberdeenshire Council and Aberdeen City Council the work undertaken to fulfil the requirements of Scottish Planning Policy, Scotland's Historic Environment Policy, Planning Advice Note 2/2011, Joint Working Agreement and the wider strategies and policies associated with Scottish Government's Historic Environment Strategy 'Our Place in Time' would be as follows:

Planning

- *Provision of pre-scoping advice as required*
- *Input into Environmental Impact Assessment (EIA) Scoping and EIA Process as required*
- *Provision of comments and advice as required in Major Application/Masterplan Process*
- *Sign up to Planning Processing Agreements as required*
- *Monitor Weekly Planning Lists*
- *Input into Planning Application Process, including recommendations for conditions, recommendations for purification of conditions, sign-off of all archaeological stages including WSIs, DBAs, DSRs and PERDs*
- *Input into Policy Development as required, specifically LDP*
- *Monitoring of archaeological contractors as required*

Forestry

- *Input into Woodland Creation Schemes, including management advice*
- *Input into Felling Licence Applications, including management advice*
- *Input into Forest Design Plans, including management advice*

Scottish Rural Development Schemes (SRDP)

- *Provision of site specific records and management advice*

Utility Works

- *Water – provision of mitigation advice*
- *Electricity - provision of mitigation advice*
- *Gas - provision of mitigation advice*
- *Wind & Solar - provision of mitigation advice*
- *Offshore marine pipelines and other works - provision of mitigation advice*

Sites & Monuments Record (SMR)

- *Manage, maintain and update SMR database, associated archive, and related GIS overlay*
- *Host and provide online access to SMR data*
- *Provide regular internal GIS updates to ACC*
- *Acquire and manage archaeological information on behalf of ACC*
- *Provide data extracts for commercial, research and individual enquiries*
- *Provide general information and advice to ACC colleagues and external commercial contractors, groups and individuals – including landowners of undesignated sites - as required*
- *Include ACC area within NE Scotland Regional Research Framework (and co-ordinate academic research undertaken within area)*

Scheduled Monument Consent

- *Provide support and advice to ACC colleagues as required*
- *Liaise with Historic Environment Scotland (formerly Historic Scotland and RCAHMS) over designation enquiries, scheduling programmes and monitoring programmes*

Representation

- *Liaise with ACC departments and services as and when required (including, but not limited to, Roads & Transport, Museums & Galleries, and Economic Development)*
- *Liaise with National Agencies (including, but not limited to, Historic Environment Scotland, Transport Scotland, Forestry Commission, and National Museums of Scotland)*
- *Represent ACC in Association of Local Government Archaeological Officers (ALGAO) Scotland*
- *Represent ACC at committees, boards, steering groups, workshops and meetings as required*
- *Liaise with Historic Environment Scotland and Police Scotland over human remains call-off contracts as and when required*

Reports

- *Produce an Annual Report on work undertaken for ACC, including Key Performance Indicators*

Staffing

Current staffing within Aberdeenshire Council Archaeology Service is 2.8 full time equivalent (FTE) staff consisting of 2.2 x Archaeologists and 0.6 SMR Assistant posts.

Aberdeenshire Council have estimated that that there will be a requirement for 1 additional SMR Assistant post in order to enable the SLA with the City to be implemented. This would bring the total staffing of Aberdeenshire Council Archaeology Service to 3.8 FTE posts.

Finance

The current temporary service provision to ACC has been supplied for a fixed total of £5950 (for 14 days of 1 FTE Archaeologist costs + management overheads).

The proposed total cost of a SLA with Aberdeen City Council would be £30,000 p/a. Any SLA entered into would need to be undertaken for a minimum of 3 years in order for the agreement to be of maximum benefit to Aberdeen City and Aberdeenshire Councils.

Business Case

Archaeological input into the planning process is considered to be important to preserve and protect the archaeological and historic heritage of the City. It is essential to fulfil the requirements of Scottish Planning Policy, Scotland's Historic Environment Policy, Planning Advice Note 2/2011(Archaeology) and the wider strategies and policies associated with Scottish Government's Historic Environment Strategy 'Our Place in Time'. An SLA of this sort is also fully in line with the Joint Working Agreement between the City and Shire.

It should be noted that Aberdeenshire Council Archaeology Service (ACAS) already provides a very similar archaeological service (covering both planning related advice and maintenance of the SMR) for Angus Council and Moray Council via Service Level Agreements (SLA). The proposed SLA would represent an extension of the coverage of this existing service already provided by ACAS to other nearby local authorities. It would ensure consistency of advice in relation to archaeological advice across the north east of Scotland and maximising the efficiencies and economies of scale that come with a centralised archaeological team. It should be noted that the ACAS Team is already based in Aberdeen City (Woodhill House).

An interim arrangement between ACAS and ACC for the provision of planning related archaeological services has been in place since the start of this year and has been operating efficiently and effectively. As a result the ACAS Team has built further on its pre-existing knowledge of the archaeology of the City and working relationships have been developed.

The City Council would gain a dedicated staffing team available 5 days a week comprising of Archaeologists and SMR Assistants. This provides greater resilience in terms of service provision when compared to employment of a single member of staff.

The total SLA annual cost of £30,000 is a competitive price when compared to standard staffing costs of an Archaeologist and an SMR Assistant if employed directly. The £30,000 cost includes all ongoing staffing costs.

The SMR would be brought up and maintained to a nationally recognised standard, ensuring robustness of baseline data for planning purposes. ICT hosting and development costs would be Aberdeenshire Council's responsibility.

The SLA would provide a practical demonstration of partnership working between local authorities as championed by Scottish Government.

Other options for the provision of this service have been considered as follows: -

- Employing archaeological staff in house within ACC. This would be a more expensive option involving a full time archaeologist and SMR Assistant with associated on costs and ICT support etc.
- An SLA with another Local Authority. There is currently no other local authority in Scotland that would provide an archaeology service to ACC via a Service Level Agreement (this has been confirmed at a meeting of Association of Local Government Archaeological Officers - Scotland).
- Contract with private sector archaeological consultancy. There is one commercial company providing a very limited archaeology service to East Dunbartonshire Council and Dundee City Council, but this is restricted to consultation on specific planning applications only and would provide partial service that would not meet the requirements of the City as outlined previously.

With this in mind it is considered a preferred option by officers at both the City Council and Aberdeenshire Council to enter into a SLA to provide an archaeological service to Aberdeen City Council.

6. IMPACT

Corporate - The proposal is fully aligned with the Council's Five Year Business Plan which aims to promote partnership working (in this case with Aberdeenshire Council).

The proposal contributes to

- EP & I Directorate Priority 3: Protect and enhance our high quality natural and built environment
- Planning and Sustainable Development Service's Operational Priority PSD3: Protect and enhance our heritage and high quality built environment.
- Single Outcome Agreement Outcome 12: We value and enjoy our built and natural environment and protect it and enhance it for future generations.

Public – This report is of interest to the public in as far as it maximises the efficient and effective use of Council resources to protect and preserve Aberdeen's Built Heritage. The Equality and Human Rights Impact Assessment (EHRIA) and Privacy Impact Assessment (PIA) demonstrate that there are no equalities/human rights or privacy implications stemming from progressing a SLA as proposed.

7. MANAGEMENT OF RISK

The risk of not providing an archaeological service for planning and sustainable development is that

- important archaeological heritage within the City is not identified, protected or recorded for the benefit of future generations.
- that the Council would not be able to comply with national planning guidance on archaeology in Scottish Planning Policy, Scotland's Historic Environment Policy, Planning Advice Note 2/2011 and the wider strategies and policies associated with Scottish Government's Historic Environment Strategy 'Our Place in Time'
- there would be consequent reputational damage to the Council

There is a financial cost to the Council of the SLA of £30,000 per annum but this is the most cost-effective method of providing the service required as outlined in the report. The SLA would be reviewed after 3 years.

It is considered that there would be positive benefits and no significant risks in terms of the service provided to customers/citizens and stakeholders, the environment and the reputation of the Council.

8. BACKGROUND PAPERS

Option Report for Provision of Archaeology Service to Aberdeen City Council produced by Aberdeenshire Council 18 February 2015

9. REPORT AUTHOR DETAILS

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