



SOCIETY OF ANTIQUARIES OF LONDON

Burlington House

Piccadilly

London W1J 0BE

Society of Antiquaries of London evidence in response to “*The future of local government archaeology services: An Inquiry for the Minister for Culture, Communications and Creative Industries*”

1. The existing models for Local Government archaeology services

Provision of archaeological advice is predicated upon the principle of wide public benefit. Archaeological investigation undertaken in response to planning policy is an activity undertaken upon behalf of the community and its outputs and outcomes must be directed towards enhancing community assets and understanding. It is central to the localism agenda. The desirability of ensuring that planning policies and decisions respond to local character and historic landscape character are important concepts in the National Planning Policy Framework (NPPF) published in March 2012 (paras. 58, 126 and 170). These concepts are not confined to the historic environment but are woven into planning policy generally.

Within the current framework there is, and always has been, a fundamental difference in the manner in which the archaeological resource is protected in England. A Non-Departmental Public Body (NDPB), currently English Heritage, (EH) is responsible for the designation of the resource deemed to be of national significance and for decisions relating to its future management. This is underpinned by a legislative framework. In contrast Local Planning Authorities (LPAs) manage those archaeological assets which have no statutory protection; protection is instead dependent upon the implementation of planning guidance. This guidance has been variously set out in a number of documents, successively: PPG16, NPG5 and the NPPF.

The arrangement whereby LPAs implement planning guidance has considerable strengths, notably that the impact of development on the archaeological resource is considered as an integral part of the planning process. Currently a range of options exist for LPAs when giving advice on the mitigation of any impacts which are identified and can include preservation of sites *in situ* or investigation by means of survey and excavation (preservation by record+). Frequently a mixture of approaches will be adopted. Where impacts require mitigation the developer is required to accommodate this in the scheme and to pay for costs incurred. The majority of archaeological work undertaken in this country is a result of this process. The archaeological advice provided to LPAs as part of the planning process has therefore been fundamental to the protection of remains and the generation of new data through excavation. The operation of this system has seen huge improvements in the way that archaeological remains have been preserved and recorded during development and in the way that archaeological risks to development have been managed.

These are all positive aspects of the existing situation. However, the full benefits of the current arrangements are rarely realised because of a number of weaknesses

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in the way in which the system operates. Although the NPPF requires LPAs to maintain or have access to Historic Environment Records (HERs), there is no requirement for archaeological advisors to be engaged to deliver advice on how those records should be used or interpreted. Because provision of LPA archaeological advisors is discretionary the level of service provided varies considerably from area to area, depending upon the importance accorded to it by different authorities; this situation also means that archaeological services are vulnerable to reorganisation and changes in funding priorities. Furthermore LPAs are under no obligation to take archaeological advice. The fact that the resource for which LPAs are responsible has no statutory protection means that LPAs and developers alike may undervalue its importance, despite evidence to the contrary. In some circumstances this can lead to LPAs going against archaeological advice, for example, when the LPA is itself the developer of a site of archaeological significance. An LPA's opposition to a development may even lead to an archaeological advisor being constrained from offering impartial advice.

It is important to remember that archaeological remains of significance . sometimes national - are frequently encountered through the planning system. LPA archaeological advisors therefore have an important role in exercising professional judgement in order to determine the management and protection strategies appropriate to each site. They also have a role to play within the development definition process in promoting the preservation of assets which contribute to local character, as required by the NPPF. Archaeologists readily accept that change needs to take place for a vibrant and dynamic society. *Managing* that change ought to be a positive part of the development process but instead of being seen as a potential benefit to the community, archaeological advice is all too often is seen as negative and obstructive.

At the present time there is considerable variability in the quality of the advice being given, particularly with regard to appropriate mitigation strategies and their effective integration with the development process. The quality of monitoring is also variable. LPAs are responsible for ensuring compliance with planning conditions; however, the degree to which different LPAs enforce conditions varies considerably. A particular area of weakness is the difficulty in ensuring that archaeological results become publicly available in a timely manner. Professional standards for archaeological advisors have only relatively recently been introduced with the publication by the IfA in 2012 of *Standard and guidance for archaeological advice by historic environment services* (which is endorsed by the Association of Local Government Archaeological Officers, ALGAO). Enforcement of these standards would improve the issues of inconsistent and variable quality of advice.

HERs are fundamental to the provision of archaeological advice to LPAs. This is strength, in that the HERs provide a sound local context within which to consider the treatment of archaeological remains. However, it is difficult to combine the data from several adjoining HERs to allow the consideration of the significance of



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archaeological remains at the regional¹ level. Although initiatives such as the Heritage Gateway (<http://www.heritagegateway.org.uk/gateway/>) are starting to make HERs more accessible at the national level, as far as we are aware, it is currently not possible to combine all HER data to form coherent regional or national datasets. The fragmented, locally focused nature of HERs means that it is difficult to form evidence-based assessments of the wider significance of archaeological remains uncovered during the development process and thus to advise on how to *conserve them in a manner appropriate to their significance* (NPPF, 2012, 30). The lack of integrated HERs at the regional and national scale has other consequences. Firstly, archaeological remains recorded during development do not automatically help to enrich our national historical narrative. Secondly, researchers, whether academics, contracting archaeologists, LPA archaeological advisors, independent scholars or interested members of the public do not have easy access to the regional and national data and are thus unable to answer the *big picture* questions that should guide archaeological research. For all the successes of development-led archaeological recording since the introduction of PG16, these two shortcomings have been major failures. We consider possible solutions in the sections below.

The Greater London Archaeological Advisory Service (GLAAS) of English Heritage offers an existing model which we believe addresses some of the above weaknesses. GLAAS provides advice on planning issues related to the historic environment in 31 London boroughs, excluding the City and Southwark. The advantage of this model is that there is a centralised HER with standardised record requirements; this facilitates the provision of advice of a consistent standard. A further advantage is the fact that the service is independent of the LPAs which it advises; this allows an impartiality of advice not always possible for in-house services. However, as GLAAS is dependent for its funding from EH it suffers the same vulnerability to changing priorities and funding cuts as embedded LPA archaeological services.

2. Alternative models for providing planning advice: our recommendations

We do not believe that the continuation of the *status quo* is sustainable in the long term. ALGAO has indicated that the provision of archaeological advice within LPAs is currently under pressure and is likely to get worse in the future. The loss of HERs and LPA archaeological advisors would result in the negative impacts listed in the bullet points under question 2 in the call for evidence. We believe that there is now an opportunity to address the problems we have identified within the present system.

¹ The term *local* in this paper refers to individual Local Planning Authorities. The term *regional* does not equate to the former English regional chambers or the nine Government Office Regions (GOR), but smaller groupings of Local Planning Authorities.



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We consider that two key initiatives are required to promote effective protection of the historic environment: the enhancement of HERs and the establishment of archaeological teams with appropriate skills to provide consistent national coverage and advice. We believe that this can best be achieved by the reorganisation of the provision of archaeological advice and HERs on a regional structure and this is discussed further below.

It should be noted that current heritage legislation means that any new model will still have the inherent disadvantage that provision of archaeological advice is discretionary. The only way in which this situation can change in the long term is for archaeology to be recognised as a matter of national interest and legislation to be introduced to acknowledge this.

Historic Environment Records

At present, as set out above, HER records are too focused upon the recording of site data with little commitment to resource the interpretation of *data* to facilitate the production of new *information*. What is required is the compilation of records which provide consistent data about the past and which can be interrogated to inform future management. This is an area where engagement of the university academic sector working with contractors and curators would be of great benefit (an example of this is the present Roman grey literature initiative). The *information* which it is possible to glean from well-constructed *data sets* allows a clearer understanding of relative significance of heritage assets to be determined, ultimately facilitating the effective targeting of resources.

We would seek to build regional HERs by integrating HERs currently held by LPAs. Through the establishment of fewer, regional HERs with a single data structure it should be possible to combine these into a networked or virtual national HER. Crucially the regional HERs should be focused on the end-user and should allow broad research questions to be addressed. This would enable the protection of archaeological remains to be considered within a framework of local, regional and national research priorities, giving a clearer understanding of significance, most probably at reduced cost and certainly with greater efficiency.

Deposition, access and dissemination of HER data are fundamental issues. There is currently little or no obligation on archaeological contractors to submit information and too few projects reach the public domain. Appropriate procedures would need to be established to ensure digital archiving, linked to the ready retrieval of all archaeological reports.

English Heritage is aware of the need to improve access to and integration of existing HERs in its current NHPP Activity Plan 5C1 *“This Activity recognises the need to work across the sector to establish better standards of access; integration and content for historic environment data, whether in English Heritage, Local Authorities or with other organisations by working towards content consistency and management and new approaches to interoperability, access, data exchange and*



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coverage.” Unfortunately only £510k has been allocated to these tasks over four years, suggesting a low priority.

Archaeological Advice

Regional groups would offer economies of scale, acting as centres of professional excellence and a focal point for both academic and third sector involvement; the regional model thus also offers the opportunity to achieve a critical mass of expertise. The composition and resourcing of groups would have to be based upon areas which can be shown to have archaeological integrity and would need to take account of development pressures within the region and the size of the archaeological resource. Organisation would probably be by reference to landscape region. For example Norfolk, Suffolk and perhaps the Fenland parts of Cambridgeshire and Lincolnshire. Any regionally based model would require an overarching political structure drawn from the LPAs within that region. For example, the model adopted in Greater Manchester for such service provision could be explored.

Although archaeology must always be conducted within a broader geographical and intellectual framework it is fundamentally a locally-based discipline, no matter whether the archaeological assets are of regional, national or international importance. Its practice and outcomes impact locally and there are many opportunities for members of third sector organisations to get involved with archaeology; examples include desk-based research, archive record compilation and excavation (on some sites).

The preservation and recording of archaeological remains as part of the planning and development process are undertaken for wider public benefit. However, realising that benefit through public participation and dissemination of archaeological results often takes a lower priority to excavation and recording and has thus been difficult to achieve. In contrast, the Heritage Lottery Fund has placed public benefit at the heart of any project that they chose to support.

The regional model suggested above would offer a focus for third sector involvement through collaboration on projects emerging from the HERs, regional research themes and development-led archaeological projects. The model would also have the advantage of providing the opportunity for third sector participation within the context of professionally-led and monitored archaeological initiatives. This would not only facilitate compliance with appropriate professional standards but, most importantly, enhance local participation in community engagement and democracy.

Turning to marine archaeology, at the present time LPA responsibility for the marine archaeological heritage generally stops at low water mark. Since 2002 when the National Heritage Act extended English Heritage's remit to territorial waters, there has been a marked increase in the amount of archaeology carried out in advance of marine development. However LPA expertise in this area of archaeology is limited. Regional groups would facilitate access to specialist advice for those authorities with marine archaeological responsibilities.

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3. Means of implementing an alternative model

We realise that the creation of regional HERs and archaeological advisory teams will be a difficult and complex process. Existing LPA teams will have to join with others, and mechanisms found to sustain them. These might include the operation of the regional teams as Trusts, or an agreement between several LPAs to fund and share a single service. As England's lead heritage body, we believe that it should be the responsibility of the new reformed Historic England to foster and promote the national and regional framework for historic environment protection, including both designated and non-designated archaeological remains.

We believe that existing standards are sound but are not applied effectively. The key requirement is for national standards which are binding upon all archaeological providers and advisors. Once any new delivery model is determined, standards should be re-assessed and if necessary new standards produced to ensure the success of the model adopted. Serious consideration should also be given to a form of licensing of archaeological bodies, both advisory and investigatory, to ensure that the performance of all archaeologists is of a consistently high quality.

Historic England should be required to monitor the performance of the regional archaeological advisory teams in relation to the new standards (this in turn raises the issue of who monitors the performance of Historic England). This role would be facilitated if Historic England were to extend the initiative embodied in *Conservation Principles* published in 2008 by English Heritage (which provides best practice guidance to EH staff) to all LPAs. This would support the quality of decision-making *with the ultimate objective of creating a management regime for all aspects of the historic environment that is clear and transparent in its purpose and sustainable in its application*. The various professional and sectorial bodies (e.g. The Institute for Archaeologists, (IfA) the Association of Local Government Archaeological Officers (ALGAO), and the Federation of Archaeological Managers and Employers (FAME) should also all have roles to play in monitoring compliance with agreed standards.

Conclusion

We believe that our recommended delivery model for archaeological advice to LPAs offers a structure which will broaden participation, enhance archaeological research and provide information which will more effectively inform planning decisions. Underpinning this structure is the principle that all archaeological work should ultimately be focused upon public benefit, promoting social cohesion and making a positive contribution to the lives of local communities.

John S C Lewis FSA
General Secretary
Society of Antiquaries of London

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