

Report To:	Safe, Sustainable Communities Committee	Date:	8 March 2011
Report By:	Corporate Director Regeneration and Environment	Report No:	R&E/R&P/03/11/ RG/001
Contact Officer:	Stuart Jamieson	Contact No:	01475 712401
Subject:	Partnership Agreement with the West of Scotland Archaeology Service (WoSAS)		

1.0 PURPOSE

- 1.1 To seek Committee approval to formally submit the Council's notice of intention to withdraw from the partnership agreement with the West of Scotland Archaeology Service with effect from 1 April 2013 by serving notice to the Clerk to the Joint Committee.

2.0 SUMMARY

- 2.1 Inverclyde Council has been a member of the West of Scotland Archaeology Service (WoSAS) Joint Committee since its inception in 1997, but in light of the recent budgetary savings discussions, the cost of membership of WoSAS is being considered as a potential saving. Inverclyde Council's current contribution is £10,832 per annum. If the decision is taken to withdraw from the Joint Committee, a two year notice period will require to be given, the earliest date for submission of notice being prior to 31 March 2011.
- 2.2 The reasons for Inverclyde Council seeking to withdraw from WoSAS are as a result of the low number of planning applications that raise archaeological issues in Inverclyde and the Council paying a proportionately higher cost than any other Council in relation to the advice given by the Archaeology Service. While a reduction in all member contributions is a possibility following a restructuring of the Service next year (2011/12), as well as a reappraisal of the contribution that each Council makes is being considered by the WoSAS Steering Group, the ongoing costs of membership to Inverclyde Council are likely to remain excessive.
- 2.3 Following withdrawal from the partnership in April 2013, the Council will continue to rely upon Historic Scotland to give advice on all planning applications impacting upon scheduled monuments. In addition, the Sites and Monuments Record (SMR) will still be available for planning officers to consult and thereafter attach conditions to planning applications if archaeological survey work or a watching brief are required.

3.0 RECOMMENDATION

- 3.1 That Committee endorses the case outlined in this report and approves the proposed withdrawal of Inverclyde Council from the West of Scotland Archaeology Service with effect from 1 April 2013 by serving notice of its intention to withdraw to the Clerk to the Joint Committee.

Aubrey Fawcett
Corporate Director Regeneration and Environment

4.0 BACKGROUND

- 4.1 Following the demise of Strathclyde Regional Council in 1996, the West of Scotland Archaeology Service (WoSAS) was established by Minute of Agreement between 11 Councils, including Inverclyde Council. In the years since the partnership was established, the membership has varied slightly with the Loch Lomond and Trossachs National Park Authority (LLTNPA) joining in 2002, West Lothian Council joining in 2004, and North Lanarkshire Council withdrawing from the partnership in 2009. Currently 12 members remain.
- 4.2 The purpose of the Service is to maintain and update the Sites and Monuments Record (SMR), the complete record of all known archaeological sites, finds, fieldwork and research for the West of Scotland. This database is used primarily to provide information and advice to the local planning authorities and other services of the 11 WoSAS Councils, and that of the LLTNPA, on potential archaeological issues raised by development proposals. The Service also provide professional advice to landowners, public utilities, private developers, farmers and other land managers to promote the implementation of national and international policies for the preservation of archaeological remains. The Archaeology Service is run by a Joint Committee supported by a Steering Group of officers from each of the member organisations.
- 4.3 Inverclyde Council has been a member of the West of Scotland Archaeology Service Joint Committee since its formal inception in 1997, but in light of the recent budgetary savings discussions, the cost of membership of WoSAS is being considered as a potential saving. Inverclyde Council's current contribution is £10,832 per annum. If the decision is taken to withdraw from the Joint Committee, a two year notice period will require to be given, the earliest date for submission of notice being prior to the end of March 2011.
- 4.4 The Minute of Agreement, which was signed by all members of WoSAS in 1997, apportioned equal charges for the running of the Service to each Council, with the exception of the host authority, Glasgow City Council, where costs associated with hosting the Service were accounted for, and Argyll and Bute Council, who, because of their size, contributed double the amount of the other authorities. These charges were reviewed as part of a Business Review in 1999/2000, where agreement was reached to apportion costs based in part upon each Council's share of the work undertaken by the Service. Since then the charges have increased in line with this principle, although no further review of the annual caseload has been undertaken.
- 4.5 Since 2000/01, Inverclyde Council's financial contribution to the Service has remained the second lowest of all the members (East Renfrewshire Council being the lowest contributor), while its casework has remained consistently the lowest of all the members by a considerable margin. The largest area of casework undertaken by WoSAS relates to planning applications, including pre-application enquiries, although it also includes development plan enquiries, Scotland Rural Development Programme (SRDP) audits and a variety of other consultations. The total casework included in the annual reports of WoSAS includes weekly lists of planning applications, and as these are relatively consistent for each of the members, they have been discounted for the purposes of this analysis.
- 4.6 In summary therefore, since 200/01 the proportion of the casework undertaken by WoSAS within the Inverclyde Council area has averaged 1.3% per annum, in comparison to the Council's average annual financial contribution of 5.7% of all member contributions. (This equates to an average of 18 cases per year, 3.4 of which were for planning applications that raised archaeological issues.) Within the partnership, the most prolific user of the service is Argyll and Bute Council whose casework over the past 10 years has averaged 31% per annum, with their average annual financial contribution being 14.8% of all member contributions.

5.0 PROPOSALS

- 5.1 If the decision is taken to withdraw from the partnership, Inverclyde Council will remain a full member and benefit from all WoSAS services until the end of March 2013. The Council's withdrawal will equally not affect the Council's obligation to pay our relative share of costs due under the Minute of Agreement and which will be incurred during the period of notice.

- 5.2 It should also be noted that despite withdrawing from the partnership, the Council will be liable to pay its relative share of any outlay in respect of a claim which relates to a year in which it was a member of WoSAS. A clause also exists in the agreement in regard to the potential termination of the service if at least six members serve notice, and if this occurs during the notice period, may result in additional costs and liabilities to the Council on a per capita basis, including the compulsory redundancy of the existing WoSAS staff. Committee should note that the estimated severance costs for all WoSAS staff as at March 2011 is £152,313, in comparison with the 2010-11 year end reserve fund standing at £131,382.
- 5.3 There is no indication at this stage however that other member Councils will seek termination of the Service, although a number have indicated that savings in their annual subscription are essential to maintain their membership. If a decision is taken by one or two members to withdraw from WoSAS, this would have a financial impact upon the future income of the Service and could trigger the termination clause by other members.
- 5.4 The potential source of alternative archaeology advice to the Council needs to be addressed in the consideration of the Council's future membership of WoSAS. In this regard it should be noted that statutory protection is limited to scheduled monuments, of which there are only 7 currently in Inverclyde (an additional 26 are being proposed by Historic Scotland). The planning application process requires statutory consultation with the Scottish Ministers where development may affect a scheduled monument or its setting. This consultation is directly undertaken with Historic Scotland, who has experts in place to offer advice, at no cost to the Council.
- 5.5 WoSAS have produced a list of monuments and sites of archaeological potential (the Sites and Monuments Record), and it is this list which generates the list of consultation requests. These sites have no statutory protection, and as such can only be controlled where development requires planning permission and a survey or watching brief is imposed as a planning condition. Such control can continue to be attached to permissions irrespective of WoSAS involvement, and should evidence produce important findings (this has yet to happen in Inverclyde), there would be immediate referral to Historic Scotland. As a rule the comments that the Archaeology Service submit are incidental to any planning application decision, and there is no recollection of their views ever having been a significant determining factor.

6.0 CONCLUSIONS

- 6.1 In summary therefore, the reasons for Inverclyde Council seeking to withdraw from WoSAS are as a result of the low number of planning applications that raise archaeological issues in Inverclyde and the Council paying a proportionately higher cost than any other Council in relation to the advice given by the archaeology service. While a reduction in all member contributions following a restructuring of the service in year 2011/12, as well as a reappraisal of the contribution that each Council makes is being considered by the WoSAS Steering Group, the ongoing costs of membership to Inverclyde Council are still estimated to be excessive.
- 6.2 Following withdrawal from the partnership in April 2013, the Council will continue to rely upon Historic Scotland to give advice on all planning applications impacting upon scheduled monuments. In addition, the Sites and Monuments Record (SMR) will still be available for planning officers to consult and thereafter attach conditions to planning applications if archaeological survey work or a watching brief are required.

7.0 FINANCIAL IMPLICATIONS

7.1 Finance:

Financial implications – one-off costs

Cost Centre	Budget Heading	Budget Year	Proposed Spend this Report	Virement From	Other Comments
n/a	n/a	n/a	n/a	n/a	n/a

Financial Implications – Annually Recurring Costs/Savings

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From	Other Comments
Other Planning PTOB (00613-000-61019)		2013/14	£10,832		

8.0 CONSULTATIONS

- 8.1 **Chief Financial Officer:** The Chief Financial Officer has been consulted.
- 8.2 **Head of Legal and Democratic Services:** Consultation was undertaken to seek advice on the Council's liabilities under the Minute of Agreement.
- 8.3 **Head of Organisational Development, HR and Performance:** no requirement to comment.

9.0 BACKGROUND PAPERS

- 9.1 (1) WoSAS Minute of Agreement (1997)
- (2) WoSAS Business Review (1999/2000)