

Role of Archaeological Services to Local Authorities in Scotland

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Introduction

Scotland's heritage plays a major role in economic regeneration and prosperity, promoting inward investment, business growth and relocation and, in many areas, tourism. For every £1 spent on a LA archaeology service, £15 is generated for the local economy, alongside UK wide annual savings of an estimated £1.3 billion to the construction industry through reduced delay costs (Landward Report, 2019). In 2019 the historic environment generated £4.4 billion for Scotland's economy and supported 68,000 full-time equivalent jobs, mainly in the heritage, tourism and construction sectors (HES, Inquiry into Budget 2023-24 to Scottish Parliament). From the above economic benefits, it is clear our local historic assets, and their management, are important to all local authorities across Scotland.

The historic environment is a shared and irreplaceable resource. Preservation *in-situ* of archaeological sites is the preferred method under national and local policies, but where this is not possible then appropriate mitigation must be undertaken to preserve the site via record, and to make the results publicly available.

Scheduled Monuments are managed by Historic Environment Scotland and comprise around 3% of known archaeological sites across the country. The remainder are undesignated, and decisions arising from planning and development fall under the remit of Local Authorities. To enable impacts to be managed appropriately, Local Authorities require advice and expertise through the curation of a professional archaeology service (with currently 29 out of 32 Scottish Local Authorities members of The Association of Local Government Archaeological Officers (ALGAO) Scotland). The function of ALGAO is to promote the role of local authority archaeologists, ensure their services are included within relevant policy, to maintain standards, and improve the ongoing management of the historic environment.

Planning Policy

National Planning Framework 4

NPF4 establishes the historic environment, whether designated or not, as a core component of sustainable development in the planning process and provides guidance on how to sustain and enhance its significance and setting. It emphasises the need for pre-application consultation, assessment, and expert advice to inform Local Authority decision making, and for the recording, publication, archiving and public benefit of heritage assets impacted by development. Supported by technical and professional guidance, NPF4 and its supporting documents set out a process to allow Local Authorities to protect and enhance the historic environment, and that this function is facilitated by Local Authority Archaeologists who provide support and specialist advice, including the maintenance of the Historic Environment Record which is essential for aiding in decision making.

National Planning Framework 4 sets out the three desired policy outcomes of Policy 7 for 'Historic assets and places' as:

- I. The historic environment is valued, protected, and enhanced, supporting the transition to net zero and ensuring assets are resilient to current and future impacts of climate change.
- II. Redundant or neglected historic buildings are brought back into sustainable and productive uses.
- III. Recognise the social, environmental, and economic value of the historic environment, to our economy and cultural identity.

In addition, this Policy specifies that:

“Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects, and provide a sound basis for managing the impacts of change. Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.”

Supporting Documentation

Planning Advice Note 2/2011 is a working document currently supporting NPF4. This advises Local Authorities and developers how to deal with archaeological remains, and the information within details the day-to-day work of Local Authority services and others in managing archaeological matters within the planning process. Within this document, the importance of the HER and its professional curation for the Local Authority is noted as key for development management and determining planning applications.

A key policy supporting document that underpins the national framework is Historic Environment Policy for Scotland (HEPS) which is a material consideration in decision making for the planning system and heritage consenting regimes. It is relevant to a wide range of decision-making at national and local levels, and is supported by detailed policy and guidance, such as the Managing Change series (Historic Environment Scotland). In addition, there is a host of supporting documentation, often specific to strands of the sector, such as ALGAO and ClfA guidance documents, that provide the framework for the decision-making process.

Burials and Human Remains

Dealing with human remains is a complex area under Scottish Law. Local Authorities have powers under the *Burial and Cremation (Scotland) Act 2016* to deal with burial grounds, with the accompanying secondary legislation still under development. Local Authority Archaeologists provide the professional response for the appropriate management of human remains, for example regarding the reuse of a historic lair or plot.

Local Development Plans

The historic environment resource provides the backbone to placemaking and sense of local/ cultural identity, with the built and buried heritage around us being intrinsic to where we all live, work and play. Historic environment data, and specific area sensitivities within a Local Authority region, are fed into local development plans to allow informed planning decisions, and to recognise what makes each of our areas special. By maintaining distinctiveness and diversity of areas through the protection and enhancement of both the natural and the historic environment, we create sustainable and successful places. The policies embedded within local plans demonstrate the value in the retention of historic environment assets, with preservation in situ being the preferred approach. Where preservation in situ is not feasible, then delivering appropriate and reasonable mitigation of historic assets by record is key. Local Authority Archaeologists are integral to the information gathering and decision-making processes involved in this process, from the curation of the records and submission of data, ensuring the implementation of policy at every stage.

Environmental Impact Assessments

As part of the Environmental Impact Assessment process, Local Authority Archaeologists provide information and advice to developers, alongside HER data extracts and mapping, to inform the scheme and the likely significant

effects of the proposed development on the historic environment. They can also advise planning authorities on whether a development may require an EIA under The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017. This early process for large scale developments often ensures the best outcome for the historic environment, introducing early consideration of impacts on the historic environment, and appropriate mitigation strategies prior to submission of a planning application and submission of the Environmental Statement (ES).



Preservation by record: Well preserved building remains at the James Hutton Institute, Invergowrie © PKHT

Duties of Local Authority Archaeologists

Almost all of Scotland's Local Authorities utilise their Local Authority Archaeologists in delivering a professional planning archaeology service and providing a range of specialist skills in the built, buried, coastal and submerged historic environment. They provide advice that is proportionate, consistent, informed, impartial and timely, with reasoned decision making. This advice informs and enables appropriate development while ensuring compliance with policy(s) and legislation.

Curation of the Historic Environment Record

A key part of the role of the Local Authority archaeology service in Scotland is the professional curation of a Historic Environment Record (HER) which is the major source of information for understanding the local historic environment, and an important tool in land and development management. The valuable contribution that a curated HER makes to development management decision-making is clearly set out in current planning policy and guidance.

The HER requires continual updating, maintenance, and enhancement to ensure it is in line with current heritage and spatial data standards. This is a dynamic tool as new records and information are regularly added into the system as new discoveries and research become available. In addition, there is the legal requirement for Local Authorities to provide any spatial data they hold for the historic environment under the INSPIRE (Scotland) Regulations 2009.

The following duties outlined below demonstrate the major roles and responsibilities undertaken by Local Authority Archaeologists working across Scotland.

Services provided by Local Authority Archaeologists:

- Implementing national planning guidance to sustain and enhance the significance and setting of local heritage assets
- Maintenance and enhancement of the Historic Environment Record
- Assessment of Environmental Impact Assessments and Environmental Statements
- Pre-application consultation on development proposals
- Screening planning applications to assess their impact on the potential, significance and setting of heritage assets and local distinctiveness and recommendation of planning conditions
- Provision of regular advice to developers and liaison with archaeological contractors/ consultants to ensure compliance with policy and planning conditions, and reducing risks to developments and archaeology
- Review and approval of key archaeological planning documents (WSIs, DSRs, PERDs)
- Monitoring of required archaeological works from survey and field work to post-excavation and publication
- Advising the LA if conditioned work has been undertaken to the requisite standards and sign off conditions
- Provision of specialist advice on forestry, agri-environment, marine, utilities, peatland restoration schemes and reuse of historic lairs within kirkyards
- Advice on conservation and management of council assets (e.g., historic churchyards) and projects (e.g., conservation area regeneration schemes and Town Heritage Initiatives, Common Good and grants funding made by councils);
- Delivery of projects which protect, conserve, and promote the historic environment.
- Provision of advice for inventory battlefields and their ongoing management
- Provision of advice for designated landscapes (such as National Parks and Special Landscape Areas) and their ongoing management
- Provision of advice and curatorial role for Burials and Lair management by Local Authorities
- Liaison, enquiries and provision of HER data to professionals, academics and the public
- Support and advice with Police Scotland regarding finding of human remains (whether expected or unexpected)
- Advice to members of the public on chance finds and support to the Treasure Trove Process
- Input into strategic and local historic environment policies in Local Plan
- Liaison with national and regional agencies to ensure a joined-up approach to Historic Environment strategy and ongoing management
- Ensuring that local heritage needs are considered at a national level and within academic research circles and acting as a link between the local community/ projects and national agencies
- Implementing regional research agendas
- Promoting opportunities through community engagement and volunteering opportunities
- Representation of the council at a local, regional and national level, and provision of information for Appeals and Public Inquiries
- Advise local groups/ initiatives on how to integrate and maximise the heritage in the local area
- Technical advice and support for heritage projects
- Lead for the Local Authority for the delivery of aims and objectives of World Heritage Site Management Plans
- Providing guidance on the maintenance, transfer or disposal of assets of community value
- Identifying heritage-led regeneration opportunities
- Promoting place-shaping in new and existing communities
- Identifying potential for maximising grant aid and heritage conservation through Historic Environment Scotland and the Heritage Lottery Fund
- Support in the development and delivery of national and regional policies, strategies, initiatives and projects
- Potential wider remit with museum management, finds advice and conservation
- Provide support and advice to historic environment projects being delivered by the third sector.



The services Local Authority Archaeologists provide alongside Historic Environment Scotland (HES)

The role of Archaeological Services to Local Authorities is essential to meet relevant national, regional and local policy by appropriately managing the historic environment. The above diagram illustrates the advice and workstreams required by Local Authority Archaeologists in relation to Historic Environment Scotland’s own development management role.

In summary, the professional delivery of this role at a local level is critical to support an active planning system, and to ensure appropriate mitigation of the historic environment is in line with policy. It provides an appropriate level of expertise to decision makers as well as supporting a host of other historic environment related outcomes and benefits, including community engagement, responses to climate change, and economic generation.

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