

**REPORT TO:** Executive Board Sub-Committee  
**DATE:** 5 March 2009  
**REPORTING OFFICER:** Strategic Director, Environment  
**SUBJECT:** Historic Environment Service Level Agreement  
**WARDS:** Boroughwide

## **1.0 PURPOSE OF THE REPORT**

1.1 The purpose of this report is to seek approval for a one-year renewal of the existing Service Level Agreement between Halton Borough Council and Cheshire County Council (and its successor authorities) in respect of Historic Environment Services.

## **2.0 RECOMMENDATION: That**

- 1) The Service Level Agreement between Halton Borough Council and Cheshire County Council (and its successor authorities) for the provision of Historic Environment Services be renewed for a period of one year only from 1<sup>st</sup> April 2009, to 31<sup>st</sup> March 2010, at a cost of £14,335.36 for the year; and**
- 2) Procurement Standing Order 4.1 be waived to allow Cheshire County Council or its successor authority to supply the services within the Historic Environment Service Level Agreement without the need for competitive tender.**

## **3.0 SUPPORTING INFORMATION**

3.1 On 14<sup>th</sup> September 2004, the Executive Board Sub Committee resolved that the Service Level Agreement (SLA) for the provision of Archaeological Services be entered into for a period of five years until March 2009. In 2004, the cost of this service was £5995 per annum, subject to an adjustment for annual inflation.

3.2 On 16<sup>th</sup> May 2005, the Executive Board Sub Committee resolved that the SLA be extended to include the provision of Listed Building and Conservation Area advice, with a combined annual cost of £13,523, subject to an adjustment for annual inflation. This renamed Historic Environment SLA, currently in place, expires at the end of March 2009. Hence, it is recommended that this SLA be renewed.

3.3 To recall the contents of the earlier reports of 14<sup>th</sup> September 2004 and 16<sup>th</sup> May 2005, there are several reasons as to why the Historic

Environment SLA is an advantageous arrangement for the Council. Firstly, the SLA represents good value for money in terms of ensuring continual and permanent access to specialist advice on the historic environment. A private sector alternative would be significantly more expensive, and the appointment of a full time member of staff with the relevant qualifications and experience would also lead to a much greater cost for the Council.

- 3.4 This report recommends that the Historic Environment SLA be renewed for a period of one year only. This is due to two factors, both of which will mean that the SLA will probably be subject to change during 2010. The first factor is that the Heritage Protection Bill may be enacted in 2010, and this would require the SLA to be revised in the light of new responsibilities for Local Authorities. Colleagues at Cheshire County Council have indicated that these new responsibilities will not prohibit the continued provision of the Historic Environment SLA, but its scope and remit will necessarily change.
- 3.5 The second factor behind the recommended that the SLA be renewed for a period of one year only is Local Government Reorganisation (LGR) in Cheshire. On 1<sup>st</sup> April 2009, some of the functions of the existing Cheshire County Council will automatically move to one of the two new Unitary Authorities: Cheshire West and Chester Council or East Cheshire Council. It is currently anticipated that the Historic Environment SLA will be delivered in Halton from the Cheshire West and Chester Unitary Authority, with accompanying advice from the new Shared Archaeology Service; however, this cannot currently be confirmed. Therefore, the preferred course of action will be to renew the SLA with Cheshire County Council for the period of April 2009 to March 2010, taking into account the automatic transfer of responsibilities of the County Council to its successor authorities from 1<sup>st</sup> April 2009. Once the new delivery authorities can be formally confirmed, the SLA can be renewed.
- 3.6 With the above in mind, a further report will be brought to Executive Board Sub Committee in late 2009, with a recommendation for the SLA to be renewed in an updated form, in line with the two factors outlined in paragraphs 3.4 and 3.5. It is anticipated that this paper will recommend that the SLA be renewed for a three or five year period, commencing on 1<sup>st</sup> April 2010.
- 3.7 For reference, attached at Appendix A is the Schedule 1 (2009) Parts A and B, which detail all of the services that would be provided within the renewed Historic Environment SLA. If the recommendation to approve the renewal of the SLA was given, the Council Solicitor and the Cheshire County Council Solicitor would formalise this Agreement and Schedule with an exchange of letters.
- 3.8 As the cost of the Historic Environment SLA exceeds £10,000, it should be noted that the Council's procedures for Standing Orders have been

complied with. In this case, the Council's Solicitor has agreed that the three written quotations for the order are not required (see Procurement Standing Order 4.1).

#### **4.0 POLICY IMPLICATIONS**

4.1 The Historic Environment SLA is an advantageous arrangement, as it ensures that the Council is able to comply with national Government policy on archaeology, the historic environment and planning, and is also able to uphold the archaeology- and historic environment-based policies contained within the saved policies of the Halton Unitary Development Plan.

4.2 The specialist advice provided by way of the Historic Environment SLA is valuable in terms of progressing work on Local Development Framework documents, including Development Plan Documents (DPDs) and Supplementary Planning Documents (SPDs) and also in other conservation-based policy documents, such as Conservation Area Appraisals and Management Plans.

#### **5.0 OTHER IMPLICATIONS**

5.1 The continued provision of the Historic Environment SLA necessarily cost implications for the Council. As stated in recommendation (1), the annual cost of the SLA is £14,335.36. This is considered to be good value.

#### **6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES**

##### **6.1 Children and Young People in Halton**

No implications envisaged.

##### **6.2 Employment, Learning and Skills in Halton**

No implications envisaged.

##### **6.3 A Healthy Halton**

No implications envisaged.

##### **6.4 A Safer Halton**

No implications envisaged.

##### **6.5 Halton's Urban Renewal**

The provision of high quality specialist advice on the historic and archaeological environment is of significant importance to the Borough and in particular to its planning services. The Historic Environment SLA makes provision for expert advice to be given on planning applications and Local Development Framework (LDF) documentation, hence improving the Council's capabilities to deal with historic environment issues efficiently. This has an impact on the Borough's built environment, in particular parts of the Borough that are considered to

be of historic interest, for example, archaeological sites, conservation areas, ancient monuments and listed buildings, ensuring that they are suitably protected and well maintained.

## **7.0 RISK ANALYSIS**

7.1 One identifiable risk is posed by the forthcoming enactment of the Heritage Protection Bill, after which it is envisaged that extra responsibilities will be placed upon Local Authorities. However, the plan to return to the Executive Board Sub Committee in late 2009, with a new proposed SLA for April 2010 onwards, should take the above risks into account and deal with them appropriately.

## **8.0 EQUALITY AND DIVERSITY ISSUES**

8.1 No implications envisaged.

## **9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

<b>Document</b>	<b>Place of Inspection</b>	<b>Contact Officer</b>
Service Level Agreement between Halton Borough Council and Cheshire County Council for the provision of Historic Environment Services	Legal Services, Corporate and Policy, Municipal Building	John Tully
Report to Executive Board Sub Committee of 14 <sup>th</sup> September 2004, "Continuation of Archaeology Service Level Agreement"	Planning and Policy Division, Rutland House, Halton Lea	Neil Macfarlane
Report to Executive Board Sub Committee of 16 <sup>th</sup> May 2005, "Extension of Existing Archaeology Service Level Agreement with Cheshire County Council to become Historic Environment SLA"	Planning and Policy Division, Rutland House, Halton Lea	Neil Macfarlane
Best Value Performance Indicators 2008/09,	Planning and Policy Division, Rutland	Neil Macfarlane

Communities and Local House, Halton Lea  
Government