



digdiscoverenjoy

7th March 2016

Cllr Mark Townsend  
Leader's Office  
Burnley Town Hall  
Manchester Road  
Burnley  
BB11 9SA

Dear Cllr Mark Townsend,

We write concerning the recent announcement that Lancashire County Council are in the process of passing responsibility of the current centralised Historic Environment Service to the 14 borough councils in the region. The Historic Environment Service acts as a central point for specialist archaeological advice on planning applications that are likely to affect both archaeology and the historic fabric of the borough. The service is responsible for monitoring planning applications, liaising with developers and where necessary applying appropriate mitigation strategies to planning applications. The service relies on the access and use of the active Historic Environment Record which is held centrally at Lancashire County Council. This is a central repository of all archaeological knowledge and designations of significance in the region. It is used as central point for assessing the significance of archaeological and historic building remains and for recording new finds and new archaeological discoveries. The Historic Environment Record is the basis for all decision making regarding the impact of development on archaeology and historic buildings in the borough. Without an active and accessible Historic Environment Record, there can never be an accurate assessment of the impact of development on the archaeology it affects or the historic environment in which the development activity takes place. As the responsibility for this decision making is now being passed to the district council, this could leave the council open to legal challenges if it does not meet its responsibilities under the National Planning Policy Framework (see below) or offers inadequate or inaccurate advice or mitigation strategies to developers.

Although the Lancashire County Council view the work of the Historic Environment Service as 'non-statutory', the work of the service is protected under the National Planning Policy Framework (NPPF), published 27th March 2012. Under the National Planning Policy Framework it is a requirement for local authorities to maintain the Historic Environment Record and use it to assess the significance of known and undiscovered archaeological remains in their care

'Local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. Local planning authorities should either maintain or have access to a historic environment record.'

***Paragraph 169, National Planning Policy Framework***

This is not a discretionary option. Local authorities must demonstrate that they are meeting their responsibilities under NPPF. The importance of monitoring and management of the historic environment which includes above and below ground archaeological remains is recognised through this national framework.

District Councils are now in the difficult position of arranging strategies to ensure that they are able to meet the requirements of the NPPF without leaving themselves open to legal challenges. The options available to district councils are likely to lead either to a disparate coverage of accurate or sufficient archaeological advice which may be more robust in some districts rather than others, or the provision of individual specialist advice which would be much more expensive than the current centralised system that is in place at Lancashire County Council at present. The current centralised system costs the county council very little in terms of its operation and the burden of provision of adequate monitoring and advice is likely to be disproportionately expensive for individual borough councils to meet.

In addition, there is as yet no plan from Lancashire County Council as to how the central Historic Environment Record will be maintained and accessed after 1st April 2016. The maintenance of the Historic Environment Record as detailed above is the basis upon which decisions regarding the historic environment and archaeology is made in the region. It is vital that this record is kept active and accessible to all interested parties throughout Lancashire.

The organisation we represent is keenly aware of the need to maintain and protect the work of the Historic Environment Service, the Historic Environment Record and the historic fabric and archaeology of Lancashire. Our petition to save the work of the Historic Environment Service and the Historic Environment Record has attracted over 1,000 signatures. There is a very strong public voice in support of protection of this service. I will be copying you into the petition so you are aware of the strength of public support and desire for a solution to this crisis in the protection and management of our heritage. The petition can also be found on the following link:

<https://www.change.org/p/marcus-johnstone-save-lancashire-s-archaeology-from-cuts>

There is a potential solution:

The Council for British Archaeology are attempting to work with Lancashire County Council to request that the Historic Environment Service remains in operation for another 12 months. This will enable them to explore alternative options for funding a central service supported by Historic England. Extension of the funding for 12 months will give time for alternative arrangements for the service to be made, without district councils taking over the burden of attempting to provide robust systems to ensure they meet the requirements of NPPF on a very short timescales. This will also ensure that district councils do not leave themselves open to legal difficulties regarding their responsibilities or incur disproportionate costs as each council funds individually what once was a centralised service.

We are asking district councils to work with and support the Council for British Archaeology and raise these concerns direct with Lancashire County Council. For both the protection of the archaeology and heritage of the region and the protection of the district council, please confirm that you will seek to raise these concerns with Lancashire County Council directly and work in conjunction with the Council for British Archaeology to provide a sustainable and realistic solution that will benefit the district council, the people of Lancashire and the archaeology and historic fabric of the district that you serve.

If we can be of any assistance or if you require further information, please do not hesitate to contact us on the details below. We are happy to provide any support we can offer.

Yours sincerely,

On behalf of Andrea Grimshaw and Miranda Galloway  
Dig Discover Enjoy  
[digdiscoverenjoy@gmail.com](mailto:digdiscoverenjoy@gmail.com)  
07984361412