

ANGUS COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE

21 APRIL 2009

**SUBJECT: SERVICE LEVEL AGREEMENT
ABERDEENSHIRE COUNCIL**

REPORT BY DIRECTOR OF INFRASTRUCTURE SERVICES

Abstract: This report presents for noting a revised Service Level Agreement between Angus Council and Aberdeenshire Council in respect of the provision of archaeological services. A small increase in the cost of provision of the service is proposed but there has been no increase since 2004/05.

1 RECOMMENDATION

It is recommended that the Committee:-

1. note the updated Service Level Agreement for 2009/10, which will continue until 2011/2012 unless terminated;
2. note the minimal increase in cost of £500, which will be contained within the Planning and Transport Revenue budget in 2009/10; and
3. note that the renewal of the SLA has been granted exemption from normal competitive tendering in terms of criteria 16.22.4(b)(iii) of the Council's Financial Regulations, as set out in section 5 of this report.

2 INTRODUCTION

- 2.1 A longstanding Service Level Agreement between Angus Council and Aberdeenshire Council is due for renewal having last been reviewed in 2004/05. The Service Level Agreement provides for a comprehensive range of archaeological services which assist the Council in the implementation of the Statutory Planning Functions including Development Standards and Development Planning.
- 2.2 The provision of the archaeological service requires the updating of the Angus Sites and Monuments Records on a monthly basis, the implementation of an archaeological area reconnaissance programme, ground surveys and liaison with national and local bodies including Historic Scotland, National Museums of Scotland and the Royal Commission on the Ancient and Historical Monuments of Scotland.

3 SERVICE LEVEL AGREEMENT 2007/2008

- 3.1 The main function of the agreement has been in respect of advice given to the Planning and Transport Division with regard to the determination of planning applications with a view to ensuring the assessment, evaluation and recording and if required preservation of archaeological sites and findspots in accordance with National Planning Policy, Guidance and Advice. The agreement also provides for advice to developers in respect of archaeological matters that may impact upon a

specific site. Other services of the Council have made use of the service under the framework of the Service Level Agreement and have found the service to be helpful and responsive.

- 3.2 Aberdeenshire Archaeological Services have played a key role in the implementation of the Council's Development Management function and have been routinely consulted in respect of relevant applications. In addition, advice has been given to the Planning and Transport Division in respect of the Strategic Environmental Assessment of the Council's Core Path Plan.

4 SERVICE LEVEL AGREEMENT 2008/09

- 4.1 Aberdeenshire Archaeological Services have a continued key role in the effective and efficient provision of the Council's Statutory Planning Functions. The provision of shared Archaeological Services with Aberdeenshire Council represents value for money and reflects Central Government thinking.

5 EXEMPTION FROM NORMAL TENDERING REQUIREMENTS

- 5.1 Section 16 of the Council's Financial Regulations requires that where the value of items being procured is beyond Chief Officers' delegated authority, full competitive advertised tendering, followed by committee approval, is required. Any departure from this requirement must be considered under the Exemptions Scheme contained in the Financial Regulations and which requires the approval of either the Exemption Co-ordinator or the appropriate Committee. The comments in section 5.2 and 5.3 have been agreed with the Council's Exemptions Co-ordinator.
- 5.2 Given the long standing nature of the current Service Level Agreement with Aberdeenshire Council and the need to retain a service provider who has requisite experience of the Angus area and who is demonstrably independent of any individual developer, it was not considered beneficial for the Council to carry out a full competitive tendering exercise in this case.
- 5.3 In line with the provisions of the Exemptions Scheme therefore, an exemption request was submitted to the Exemption Co-ordinator and this was approved under their delegated authority on the basis of Financial Regulation 16.22.4(b)(iii) "the services required are the subject of long standing agreement which is advantageous to the Council".
- 5.4 The Service Level Agreement will now be concluded for the three year period until 2011/2012, unless terminated earlier as noted earlier in the report.

6 FINANCIAL IMPLICATIONS

- 6.1 The existing Service Level Agreement for 2008/09 specifies an annual payment to Aberdeenshire Council for £12,500, which is provided for within the 2008/09 Planning & Transport Revenue Budget . This payment has not increased since 2004/05.
- 6.2 The new Service Level Agreement for 2009/10 is for an annual payment of £13,000 and the agreement shall terminate on 31 March 2012 unless terminated at an earlier date. This expenditure will be met from Planning and Transport Division's Revenue Budget in 2009/10.

7 HUMAN RIGHTS IMPLICATIONS

7.1 There are no human rights implications arising from this report.

8 EQUALITIES IMPLICATIONS

8.1 The issues dealt with in this report have been the subject of consideration from an equalities perspective (as required by legislation). An equalities impact assessment is not required.

9 SINGLE OUTCOME AGREEMENT

9.1 This report contributes to the following local outcomes contained within the Single Outcome Agreement for Angus.

12. We value and enjoy our built and natural environment and protect it and enhance it for future generations

- The importance and benefits to society of the environment is recognised.

10 CONSULTATION

10.1 The Chief Executive, Director of Corporate Services, Head of Law & Administration and Head of Finance have been consulted in the preparation of this report.

11 CONCLUSION

11.1 Aberdeenshire Archaeological Service provides a valuable function in providing the Council archaeological advice which assists in the implementation of the Council's statutory planning functions.

ERIC S LOWSON
DIRECTOR OF INFRASTRUCTURE SERVICES

NOTE

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

P&T/IM/IAL
8 April 2009