

REPORT TO: Executive Board

DATE: 23rd May 2013

REPORTING OFFICER: Strategic Director – Policy and Resources

PORTFOLIO: Physical Environment

SUBJECT: Shared Services: Historic Environment Service Level Agreement 2013-2018 and Service Level Agreement for Merseyside Environmental Advisory Service 2013-2018

WARDS: Boroughwide

1.0 PURPOSE OF THE REPORT

- 1.1 The Council's Planning Service utilises shared services for the provision of 'rare expert' advice in relation to ecological and also heritage and conservation matters. These shared service arrangements are in place with Sefton Council and Cheshire West and Chester Council respectively. These shared service contracts are due for renewal.
- 1.2 This report seeks approval for a five-year renewal of the existing Service Level Agreements (SLA). The SLA with Cheshire West and Chester Council is in respect of historic environment services provided by the Archaeology Planning Advisory Service and with Sefton Council for the Merseyside Environmental Advisory Service (MEAS) that provides technical environmental advice (such as Habitat Regulations Assessment).

2.0 RECOMMENDATION: That

- (1) The Service Level Agreement between Halton Borough Council and Cheshire West and Chester Council for the provision of historic environment services through the Archaeology Planning Advisory Service is renewed for a period of five years from 1st April 2013, to 31st March 2018 for an annual sum of £14,693.74. The Operational Director - Policy, Planning and Transportation to be delegated the power to agree the sum payable annually under the contract within the limits of the existing budgetary provision;**
- (2) The Service Level Agreement between Halton Borough Council and the Merseyside Environmental Advisory Service for the provision of environmental technical advice in connection with planning matters be renewed for a period of five years from 1st April 2013, to 31st March 2018 for an annual sum of £14,660.**

The Operational Director - Policy, Planning and Transportation to be delegated the power to agree the sum payable annually under the contract within the limits of the existing budgetary provision; and

- (3) Agree to use Procurement Standing Orders 1.8.4 (e) and (f) to waive Procurement Standing Order 4.1 for contracts up to but not exceeding £173,934 in value to allow the Archaeology Planning Advisory Service and the Merseyside Environmental Advisory Service to supply services as outlined in 1.2.**

3.0 SUPPORTING INFORMATION

Historic Environment Service Level Agreement

- 3.1 The Archaeology Planning Advisory Service (APAS) provided by Cheshire West and Chester Council is a sub-regional service which provides advice on the archaeological implications of development for Cheshire West and Chester, Cheshire East, Halton and Warrington Borough Councils. The service operates as a shared service between Cheshire West and Chester, Cheshire East, Halton and Warrington via service level agreements. The service to Halton also includes the provision of advice on the implications of development on the built historic environment.
- 3.2 On 8th July 2010, the Executive Board Sub Committee resolved that the Service Level Agreement (SLA) for the provision of historic environment services be renewed for a period of three years from 1st April 2010, to 31st March 2013 at a cost of £14,693.74 for the first year. The subsequent years were to be subject to adjustment for annual inflation and would be reviewed at the end of each year. The cost of £14,693.74, however, remained fixed over the three year period.
- 3.3 It is recommended that the SLA is renewed for a further period of five years (2013 – 2018). The cost for year one of the SLA (2013 – 2014) will be £14,693.74. The subsequent years will be subject to an adjustment for compound annual inflation. This will be reviewed at the end of each year.
- 3.4 The waiver shall be effective from 1st April 2013, to 31st March 2018 for an annual sum of £14,693.74. This will be met from existing budgetary commitments.
- 3.5 The Historic Environment 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. Additionally, the SLA incorporates the development and maintenance of Halton's Historic Environment Record which is a statutory requirement. As the SLA is a shared service

arrangement with neighbouring local authorities it offers a unique benefit in that the CWAC officers providing HBC with advice are also delivering the statutory functions in CWaC and this provides both economies of scale and ensures professional knowledge is regularly under scrutiny.

Merseyside Environmental Advisory Service – Service Level Agreement

- 3.6 MEAS provides a range of specialist advisory services to subscribing authorities (Halton, Knowsley, Liverpool, Sefton, St. Helens and Wirral). These services include advice on current and emerging European and national environmental policies, assistance with site specific environmental matters including those arising from administration of Development Control processes and support for the implementation of sub-regional initiatives. A Directing Group, with a representative from each of the local authority areas meets periodically to review the work priorities of MEAS. The Divisional Manager for Development Services attends the Directing Group on behalf of Halton.
- 3.7 Executive Board Sub-Committee approved the renewal of the SLA between Halton Borough Council and Merseyside Environmental Advisory Service (MEAS) in December 2008 for the period 1st April 2008 to 31st March 2009 at a cost of £15,943. The SLA was rolled forward year on year from 1st April 2009 to 31st March 2013. The cost of the MEAS SLA for 2012 to 2013 was £12,910 due to the negotiation of efficiencies.
- 3.8 It is now recommended that the SLA is renewed for a further period of five years (2013 – 2018). The cost for year one of the SLA (2013 – 2014) will be £14,660. The increase in amount over 2012/13 reflects the need to undertake monitoring of the implementation of the Waste DPD and update evidence such as the Needs Analysis (capacity of sub-regional waste facilities to handle waste arisings). The subsequent years will be subject to an adjustment for annual inflation. This will be reviewed at the end of each year.
- 3.9 The waiver shall be effective from 1st April 2013, to 31st March 2018 for an annual sum of £14,660. This will be met from existing budgetary commitments.
- 3.10 The MEAS SLA represents good value for money in terms of ensuring continual and permanent access to specialist advice on environmental matters, particularly when compared against the charges made by private consultants for equivalent services. Part of the reason for MEAS offering good value for money is that they are able to draw upon existing local knowledge and technical expertise. Additionally, when required, MEAS provide advice or project manage work on behalf of all six local authorities meaning that the cost can be shared between the six rather than borne by an individual authority.

- 3.11 Some of the evidence required for Halton's planning policy framework relating to environmental matters cannot be produced 'in house' and requires specialist knowledge and support. Similarly, on occasion expertise does not exist within Halton Borough Council to consider environmental information submitted with a planning application and again, this can be dealt with by MEAS.

4.0 POLICY IMPLICATIONS

- 4.1 Both SLA's will ensure that the Council is able to comply statutory duties and with national policy in the form of the National Planning Policy Framework (2012) and the accompanying technical guidance.
- 4.2 The Historic Environment SLA will uphold the historic environment and archaeological based policies contained within the adopted Core Strategy Local Plan and the saved policies of the Halton Unitary Development Plan (UDP). Specialist advice will be provided in terms of progressing documents contained within Halton's planning policy framework namely the Delivery and Allocations Local Plan.
- 4.3 The MEAS SLA will assist in the production of Sustainability Appraisals and Habitats Regulation Assessments required for planning documents such as the Delivery and Allocations Local Plan. The services will also include advice on current and emerging European and national environmental policies.

5.0 OTHER IMPLICATIONS

- 5.1 The continued provision of the Historic Environment SLA and the MEAS SLA has cost implications for the Council (as set out in Section 3, Supporting Information). This is considered to be a cost-effective solution to the provision of historic environment and environmental advice that is necessary for the effective delivery of planning services for the Council.

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

Both the Historic Environment SLA and the MEAS SLA make provision for expert advice to be given with regard to the production of planning documents and planning applications, hence improving the Council's capabilities to deal with historic and environmental issues efficiently. This has an impact on the Borough's built and natural environment and can in turn assist in Halton's urban renewal.

7.0 RISK ANALYSIS

7.1 The risk from Halton not having recourse to the services of APAS or MEAS could result in a degree of failure to deliver on statutory obligations, provide a suitable evidence base in connection with the Halton planning policy framework and a lack of advice on certain planning applications.

7.2 Any risk of Cheshire West and Chester Council or MEAS failing to meet their obligations as stated in the appropriate SLA would entitle Halton Borough Council to terminate the future provision of services by written notice and to not make a payment if the services in question are not being provided or performed.

8.0 EQUALITY AND DIVERSITY ISSUES

8.1 There are no Equality and Diversity implications arising from this report.

9.0 REASON(S) FOR DECISION

9.1 The provision of high quality specialist advice on the historic and natural environment is of significant importance to the Borough and in particular its planning services. This is set out in more detail in Section 3, Supporting Information.

10.0 ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

10.1 No alternative options have been considered due to these being existing SLAs with neighbouring local authorities.

11.0 IMPLEMENTATION DATE

11.1 The implementation of both the Historic Environment SLA and the MEAS SLA will be dated in the legal agreements which will be formalised following the outcome of the Executive Board's decision.

12.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Service Level Agreement	Legal Services, Municipal	Tim Gibbs

Document	Place of Inspection	Contact Officer
between Halton Borough Council and Cheshire County Council for the provision of Historic Environment Services	Building	
Report to Executive Board Sub Committee of 8 th July 2010, 'Historic Environment Service Level Agreement'	Policy and Development Services, Municipal Building	Tim Gibbs
Service Level Agreement between Halton Borough Council and Merseyside Environmental Advisory Service for the Provision of Technical Advice	Legal Services, Municipal Building	Tim Gibbs
Report to Executive Board Sub Committee of 4 th December 2008, 'Renewal of Service Level Agreement with Merseyside Environmental Advisory Service for the Provision of Technical Advice'	Policy and Development Services, Municipal Building	Tim Gibbs