

APPENDIX D

Archaeological Requirements

Special Requirements in Relation to Historic Scotland*

(*Historic Scotland unable to provide full reference)

1. Definitions

Archaeological Contractor/Consultant – means an archaeological organisation with access to professionally qualified staff with appropriate knowledge, experience and skills, and with a track record of successful contract completion.

Archaeological Reports – means all the archaeological reports produced under Historic Scotland's management during the scheme's Environmental Assessment process, in compliance with procedures for assessing and mitigating impact on the cultural heritage set out in the Design Manual for Roads and Bridges Volume 11.

Desk Research – means the desk-based survey of existing archaeological records held by national and local archives plus the study of additional historic maps, other readily available historic documents and all available aerial photographs, both low level obliques and high level verticals, in order to determine the nature significance and extent of the recorded archaeological resource of the area to be affected by the works.

Environmental Assessment Process – refers to the statutory procedures required in accordance with EC Directive 85/337 as amended by Directive 97/117EC. The standard methodology for addressing impact on the Cultural Heritage in trunk road schemes is set out in the Design Manual for Roads and Bridges.

Field Research – means the use of standard archaeological field techniques including field walking, geophysics and trial trenching to build upon and augment the findings of the Desk Research and ensure that, as far as possible, the full archaeological resource and potential of the area to be affected by the Works is understood.

Historic Scotland's Nominated Archaeologist – refers to the statement of Government policy on Archaeology and Planning issues by the (then) Scottish Office Environment Department in January 1994. Amongst other issues this sets out Government policy on how archaeological remains and discoveries should be handled in the planning and execution of developments.

Planning Advice Note 42 – refers to the advice on good practice on the treatment of archaeological remains in development set out in Archaeology – the Planning Process and Scheduled Monument Procedures published by the (then) Scottish Office Environment Department in January 1994.

Planning Permission – means statutory consent under the Town and Country Planning (Scotland) Act 1997.

Scheduled Monument – means monument of national importance protected under the Ancient Monuments and Archaeological Areas Act 1979.

Topsoil Strip – means the removal of all superficial deposits to the satisfaction of Historic Scotland's nominated archaeologist.

Topsoil Strip Monitoring – means the archaeological supervision of the Contractor's removal of topsoil, with agreed provision for means of removal and the time to be allowed for archaeological investigation of any features found during this process.

2. Topsoil Strip Monitoring

The Contractor will afford access, as agreed with the Employer's Representative, to archaeologists directly appointed by Historic Scotland to monitor topsoil stripping. To enable proper monitoring:

- I. The Contractor shall ensure that Historic Scotland's nominated archaeologist is informed of the programme for topsoil stripping at least two weeks before commencement of this activity;
- II. The Contractor shall appoint a named representative to liaise with Historic Scotland's nominated archaeologist. All communications shall be directed through this individual.

To facilitate the archaeological monitoring work, the Contractor shall ensure that topsoiling procedures are conducted as follows:

- I. As far as possible vehicles removing topsoil shall not track over the subsoil surface, but work away from the subsoil surface.
- II. The topsoil shall be removed completely (as it may mask archaeological deposits which require to be removed by archaeological personnel) and shall involve the removal of all superficial deposits to the satisfaction of Historic Scotland's nominated archaeologist.
- III. Plant used for topsoil removal shall use smooth blades as toothed blades disturb the subsoil surface, making identification of archaeological features more difficult.

The Contractor will allow Historic Scotland's nominated archaeologist sufficient and reasonable time for the recording of archaeological features revealed during topsoil monitoring. The following procedures and timescales will apply.

- I. If minor features are discovered they will require simple archaeological excavation, note taking, drawing and photography. These activities will incur only minor delays to the Works. Where necessary the Contractor shall assist the archaeologist by employing Plant present on the site.
- II. If somewhat larger features are discovered, the progress of the Works may have to be delayed in the area of the features, to allow a sufficient level of archaeological recording to take place. In such cases Historic Scotland's

nominated archaeologist is authorised to stop the works, at least within a defined area for no longer than one hour. The archaeologist shall obtain the authorisation of the Employer's Representative for any longer delay.

III. Where substantial remains may be located greater delays may be required. The nominated archaeologist will require agreement from Historic Scotland and the Employers Representative before incurring extensive delays. (Note for information: In such cases Historic Scotland's nominated archaeologist will ensure that he has a small back-up team of additional trained archaeologists ready for rapid response to such needs.

3. Unexpected Discoveries/Finds

Should unexpected finds be encountered on the Site during the course of the Works (over and above any finds made during topsoil monitoring), the Contractor shall consult and comply with Historic Scotland's requirements for the treatment of such finds.

Should such finds result in Historic Scotland requiring their nominated archaeologist to undertake further works on Site, the Contractor shall co-operate with Historic Scotland's nominated archaeologist. Where necessary the Contractor shall assist the archaeologist by employing Plant present on the Site.

In the event of an unexpected find, the Contractor shall contact Historic Scotland within 24 hours as follows:

Historic Scotland

Longmore House

Salisbury Place

Edinburgh EH9 1SH

Contact: Patrick Ashmore (0131 668 8648) or his nominated deputy Rod McCullagh (0131 668 8757).

4. Discovery of Human Remains

Any human remains which are encountered, by law, must be dealt with differently from other finds, and will initially be left *in situ* and the relevant authorities (the Police, Procurator Fiscal and Historic Scotland) will be informed of their discovery within 24 hours. Excavation procedures relating to human remains will comply with Scots Law as set out in Historic Scotland's published Operational Policy Paper 5: the Treatment of Human Remains in Archaeology.

NOTE: In principle an archaeologist should always be present during the examination of any human remains encountered, even when the examination is by the notified legal authority. Typically very few accidental discoveries of human remains are those of recent victims. Most are of archaeological interest only. Unfortunately, it is not uncommon for

sites to have been disturbed by either the finder or by the police in the conduct of their investigations before archaeologists are informed of the discovery, and this can result in a loss of archaeological information.

Guidance Notes on Good Practice

While the following guidance is not obligatory, SEDD expect that the Contractor shall take cognisance of this information and apply it to his activities where necessary and appropriate.

If the Contractor is planning any works outwith the site, he is responsible for assessing their impact on the archaeological heritage and ensuring their appropriate mitigation. He will be expected to comply with the normal principles of government policy which apply to the treatment of archaeological remains and discoveries within development.

National Planning Policy Guideline 5, Archaeology and Planning

Planning Advice Note 42, Archaeology – the Planning Process and Scheduled Monument Procedures.

The text of NPPG5 is available on the Scottish Executive Website, at www.scotland.gov.uk/planning/ Printed copies of both documents can be obtained from Historic Scotland.

Key Points to note

- Government Policy stresses that archaeological remains are a finite and non-renewable resource, part of our environment to be protected and managed.
- The preservation of archaeological sites and their settings is thus a material consideration in the planning process and will be a factor in the determination of any application for planning consent. Archaeological condition(s) may be attached to the grant of any planning consent.
- The following broad principles apply in this process:

Development should generally be planned to avoid adverse impact on significant archaeological features and their settings.

For lesser sites where avoidance is not feasible, an archaeological excavation incorporating the recording and analysis of remains and reporting and publication of findings, together with the deposition of the artefacts in an appropriate museum and the records in the National Monuments Record of Scotland, may be an appropriate alternative.

In areas of general archaeological sensitivity but where the full potential remains uncertain, prior archaeological evaluation may be required to establish the facts before a decision is reached on whether either of the two options should apply.

- When works are planned outwith the Site, the Contractor should seek archaeological information and advice at the outset from the appropriate Council Archaeological Service. (A booklet on sources of archaeological information which gives the contact point for all Council Archaeological Services in Scotland is available from Historic Scotland).
- He should also consider engaging his own archaeological contractor to provide him with appropriate information and advice at the pre-planning stage, and to undertake any archaeological investigations required. Developers are responsible for meeting the costs of all archaeological work necessitated by their developments.