



essential materials
sustainable solutions

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Dear Ms Geary

Consultation: IfA Standard and Guidance for Archaeological Advice.

The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, lime, mortar and silica sand industries. With the addition of The British Precast Concrete Federation (BPCF), it has a growing membership of 418 companies and is the sectoral voice for mineral products. MPA membership is made up of the vast majority of independent SME companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of GB cement production, 90% of aggregates production, 95% of asphalt and ready-mixed concrete production and 70% of precast concrete production. Each year the industry supplies in excess of £5 billion of materials to the £110 billion construction and other sectors. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors.

Your consultation has only recently been brought to our attention and therefore I would stress that I have not had the opportunity to consult widely amongst our membership before responding. However, my comments are informed by many discussions on the subject of archaeology that have taken place within the Association. Archaeology is a high profile topic for mineral operators.

I would also stress that I am commenting from the perspective of an industry that is a major commissioner of archaeological services and a significant contributor to the overall fund of archaeological knowledge.

As you are probably aware, the MPA plays a significant role in the Minerals and Historic Environment Forum, alongside the IfA and ALGAO, as well as English Heritage, FAME, the BAA, CBI Minerals Group and the Planning Officers Society. In 2008 the MHEF produced "Mineral Extraction and Archaeology: A Practice Guide" All member organisations endorsed that document (The Guide) and thereby agreed to promote the practices it sets out.

Since it was published however, our members have reported that there is little evidence that it is being followed by planning authority officers. There is evidence that it is at best not being promoted by the professional archaeological bodies and

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at worst it is being ignored. I would suggest that this IfA/ALGAO consultation document is further evidence of that. I appreciate that the document is intended to apply to the whole range of issues on which archaeological advice might be sought but nevertheless the lack of any reference to The Guide in the text or in the “Select References” list is a significant omission.

As an overall comment; the document is poorly drafted to the extent that it does not give the clarity on matters that would be expected from a guidance document.

As an example: I take comfort from the final paragraph of Section 1.1 which states that: “It does not apply to advice by conservation officers or commercial consultants.” However, assuming that “it” refers to the guidance document and “conservation officer” refers to someone employed by and providing archaeological advice to a local authority, it does beg the question of who the guidance actually does apply to.

The following are further examples:

- The opening paragraph is so verbose as to be almost unintelligible. I also wonder why it is necessary to define the term “archaeological advice” when a literal translation of that term would appear to be perfectly clear and certainly better than that proposed.
- The third paragraph of section 1.1 starts with a questionable statement regarding the role of advisors: “Advisors are expected to provide advice in accordance with national legislation, policy and guidance.” If advisors provide advice that is not in accord with legislation, it could well be unlawful. It should not be an expectation on advisors to comply with these things, it should be an obligation.
- Notwithstanding my comments about the lack of reference to The Guide, this document refers throughout to Planning Policy Statements (PPSs) and to some circulars. As the PPSs and some circulars are about to be nullified by the NPPF, that would not seem appropriate.
- In the same vein, it would seem entirely inappropriate to be quoting from the NPPF (Section 4) when that document has not yet been published.
- One of the main concerns of MPA members is that local government archaeologists can seem to act independently from the planning authority they represent, i.e. they do not recognise the checks and balances in the planning system to which they are subject. Section 8 contains the statement: “Advisors may produce supplementary planning documents....etc”. It is not within the gift of advisors to do that and therefore the statement is misleading. Supplementary Planning Guidance is only of relevance to the planning process when it has been properly adopted by a planning authority.

- A further example of this is contained in the third paragraph of Section 4 Section, where it states that: “Undesignated assets of demonstrably equivalent importance to designated assets should be treated as if they were designated assets.” Demonstrable to whom? Taken at face value, this statement negates the value of designating assets at all. It is not for members of the IfA or ALGAO to decide on the significance of heritage assets. They may advise on that matter but ultimately it is for others to assess the significance of those assets to the planning process.
- As a final point; the final paragraph of Section 3 addresses a point that is of great concern to MPA members. In our view, local authorities should not be encouraged to insist upon archaeological survey work being undertaken only by contractors who appear on a list approved by the local authority. Provided that a contractor meets acceptable national standards, their work should be acceptable to the planning authority.

The comments above have not been derived from a comprehensive critique of the consultation document. They highlight my main concerns, based upon my knowledge of issues raised by our members. I have sought to illustrate each point with examples but it should not be considered to be an exhaustive analysis of the draft document.

If any of these points are not clear I would be happy to discuss them further and in any case would suggest to my colleagues that the matter appears on the agenda for a forthcoming MHEF meeting. I would suggest that if there is any attempt to adopt the document in this form, such action would be seriously detrimental to relations between the bodies represented on the MHEF.

Nevertheless, the MPA is grateful for the opportunity to submit comments on the draft.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ken Hobden', with a small flourish at the end.

KEN HOBDEN
Director of Planning
Mineral Products Association