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**QUINQUENNIAL REVIEW OF THE
ROYAL COMMISSION ON THE
ANCIENT AND HISTORICAL
MONUMENTS OF WALES:
INTERIM REPORT**

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

1. The main findings of this review are:
 - a. The Royal Commission was established 96 years ago as the first all Wales Government body in the field of the historic environment concerned with archaeology and architecture. Its role has changed in recent years (at the behest of Government) so that its unique core role is now the creation and management of the all Wales archive of documents, photographs, plans, electronic records etc focused on the historic environment of Wales, and in the process drawing on its own and others' survey work. This includes

- making the material accessible by various means, increasingly electronic ones. The current and future potential use of this archive to support a range of Assembly themes and objectives is great.
- b. The Royal Commission is relatively small (32 staff, budget of under £2m) and very much geared to working with other organisations in the public, voluntary and private sectors, as well as members of the public.
 - c. While many organisations and individuals have very positive views of the Royal Commission and its work (as evidenced by responses to the consultation and discussions) a small but significant number of organisations, especially some in the archaeological sector, do not. In some cases this is because they prefer the original focus of the Royal Commission's role rather than the current one. In other cases (eg with the 4 Welsh archaeological trusts) while there are some good working relationships, there seems to me to be some scope for improved partnership working. Better definition of the strategic framework within which Cadw and the Royal Commission (and the publicly funded roles of the Archaeological Trusts) operate, perhaps within a single document, could support such improvements.
 - d. The context for future decisions on the functions and form of the Royal Commission is still developing and is unlikely to be clear in the short or medium term, until Cabinet decisions are taken and implemented on the recommendations of both the Quinquennial Review of Cadw (the "sponsor" of the Royal Commission) and the consultancy on the historic environment, which is taking place following Cabinet discussion on 29 April 2002. This review considered the advantages and disadvantages of the Royal Commission merging with 3 larger bodies (Cadw, the National Library and the National Museums and Galleries) and concluded that, of these, merger with Cadw might make the most sense in the very long term, but not in the foreseeable future.
 - e. Although the Welsh Assembly Government almost completely funds, and effectively appoints, the Royal Commission, primary legislation would be needed to give the Welsh Assembly Government powers to alter the functions of the Royal Commission on to abolish it.
 - f. The bodies comparable to the Royal Commission and Cadw in England and Scotland have followed different paths in relation to merger. In England, the English Royal Commission and English Heritage merged in April 1999, with implementation of the merger still continuing. In Scotland, merger between the Scottish Royal Commission and Historic Scotland has been seriously considered in the last 2 years, but the Scottish Executive decided not to pursue it. The circumstances and characteristics of the Welsh Royal Commission and Cadw have far more in common with Scottish analogues than English ones.
 - g. The status of a Royal Commission may seem inappropriate for a body with its particular roles in Wales in the 21st century. However, besides the need for primary legislation to give the Welsh Assembly powers if it wished to change that status, the status of Royal Commission provides the body with particular privileges under copyright legislation which it would lose if it were to cease to be a Royal Commission. However it is possible and desirable for the Royal Commission to adopt a different and more accessible name for operational use by current and potential customers, partners and itself without legislation.
1. This report recommends that:
 1. The Royal Commission adds 3-6 additional performance measures which get closer to helping assess the outcomes for Wales towards whose achievement it is a leading contributor. (para 4.6)
 2. (para 4.9)
 3. The Royal Commission and its sponsor, Cadw, consider this report and the responses to the consultation exercise as one input to their policy and management development work (para 5.7).

4. The next suitable opportunity be taken to obtain the primary legislation which would transfer the power to the National Assembly for Wales (the Assembly) to change the functions of the Royal Commission or abolish it (para 6.9).

5. Broadly speaking, the functions currently discharged by the Royal Commission are necessary, and those functions associated with enabling open and informative electronic access to all members of the public in Wales and beyond have great potential to contribute to a range of major Assembly themes and strategies.(para 6.10).

6. Consideration of the transfer of functions into or out of the Royal Commission awaits the Welsh Assembly Government's decisions when it has considered its consultants' report, and the implementation of Recommendation 3 to increase the general powers of the Assembly over the Royal Commission's functions.(Para 6.12)

7 The Royal Commission does not merge with the National Library of Wales (para 6.18)

8. The Royal Commission considers with bodies in the libraries and archives field the opportunities for mutually beneficial and joint activities designed to improve the relevant bodies' delivery of service. (Para 6.21).

9. The Royal Commission does not merge with the National Museums and Galleries of Wales (para 6.25).

10. Merger with Cadw not be pursued, but that, in principle, this is the merger whose advantages and disadvantages will be most worthy of reconsideration in the long term (para 6.29).

11. The Royal Commission should remain as an ASPB (para 6.37).

12. Substantive formal communication between Cadw and the Commission , for example in the annual remit letter, should be improved, within the context of general development of the Assembly's policies for the historic environment of Wales which are likely to flow from the current consultancy commissioned by the Welsh Assembly Government, and from some of the recommendations, if accepted , of my interim report of the quinquennial review of Cadw(para 6.39).

13. The Royal Commission continues to develop partnerships (para 6.41).

14. The name of the Royal Commission be changed to one which is briefer (para 6.43).

15. The Royal Commission sometimes in partnership with others, pursues certain courses in the field of copyright (para 6.45).*

16. The potential loss of the copyright privileges which the Royal commission currently enjoys to be taken into account in two ways(para 6.46).*

* - the full text of these last two recommendations is much longer and shown in full in the paragraphs indicated.

1. INTRODUCTION

1.1 The Welsh Assembly Government has committed itself to reviewing each executive Assembly Sponsored Public Body (ASPB) every five years. These quinquennial reviews examine whether there is a continuing need for the functions carried out by the body under review and, if so, what might be done to improve its accountability, its strategic effectiveness and its conduct of business.

1.2 The reviews are carried out by someone unconnected with the body or its area of operation. The review process is open and transparent; and a feature of it is the opportunity for the body's partners, customers, staff and other stakeholders to submit their views and comments. The review report will be in the public domain; and it will be discussed by the Culture Committee before the Assembly Cabinet comes to a view on the conclusions and recommendations.

3. The terms of reference for this review of the Royal Commission are at Annex 1. The review is being carried out in two broad stages.

First Stage

4. The first stage, outlined in this interim report, covers the basic issue of whether there is a continuing need for the Royal Commission and its functions, or whether some other arrangement is preferable. The terms of reference set the context for this Review as the Assembly's Strategic Plan, the Partnership Agreement, the Plan for Wales and associated documents. The Review has also been set against the general background of the historic environment in Wales.

1.5 This initial stage attempts to address whether, within the above context:

- a. there is a need for the functions that are carried out by the Royal Commission to be performed at all;
- b. the impact if any, or all, of the Royal Commission's functions were discontinued;
- c. there are functions carried out by the Royal Commission that might advantageously be carried out by other bodies;
- d. there are functions carried out by other bodies – or perhaps, not being carried out at all – that should be carried out by the Royal Commission;
- e. there is scope to rationalise the functions of the Royal Commission and those of other bodies; and
- f. the functions of the Royal Commission continue to need to be carried out by an ASPB, as opposed to other forms of organisation.

Second Stage

1.6 This will be commissioned following consideration of this interim report, and will be the subject of the final report. It will review the strategic effectiveness of the Royal Commission and, if

appropriate, consider whether any improvements are needed to the way the Royal Commission delivers its functions.

Methods

1.7 The review is based on an extensive process of consultation. A consultation letter was published on the Royal Commission and Assembly's websites, and eventually sent in hard copy to a total of over 200 organisations and individuals. The consultation letter is at Annex 2. The response received is described at Section 5 of this report.

1.8 My work was guided by a steering group. I conducted a series of face-to-face discussions with a variety of stakeholders in the historic environment of Wales, and also some with similar interests in relation to Scotland and England, to see how some matters compared there. In addition, I attended meetings of the Royal Commission, and studied documents obtained from it and other bodies in Wales and beyond.

2.

3. PURPOSE AND LEGAL BASIS OF THE ROYAL COMMISSION

2.1 The Royal Commission was established by Royal Warrant in 1908. Its purpose then was to prepare inventories of buildings and monuments and specify those worthy of preservation.

2. When the Royal Commission was originally set up it was envisaged that the task would be a finite one and that afterwards the body would be wound up. However, over the years it has taken on further responsibilities some of which resulted in revised Royal Warrants, most notably:-

- i. in 1963, it took over the National Buildings Record, originally set up in 1941 to deal with emergency recording arising from the destruction of monuments by enemy action (now known as the National Monuments Record or NMR);
- ii. in 1969, it assumed responsibility for threatened buildings recording;
- iii. in 1983, it took over responsibility for the archaeological work of the Ordnance Survey in Wales ie maintenance of a National Archaeological Survey;
- iv. in 1992, it assumed responsibility for the database of underwater wrecks and remains in the territorial sea adjacent to Wales.

2. A fundamental review of the body in 1988 (discussed in paragraphs 3.9-3.11 below), led to a revised Royal Warrant in April 1992. In 2000 a new warrant (copy at Annex 2) was issued following devolution, from which the Commissioners currently derive their powers. The 1988 review also resulted in the transfer from Cadw to the Royal Commission of the oversight of work relating to support for the enhancement and maintenance of the registered Sites and Monuments Records (Sites and Monuments Records) held by the 4 Welsh Archaeological Trusts.

2.4 In April 1992 responsibility for the following two activities were transferred from Cadw to the Royal Commission:

- the sponsorship and funds for an initiative to record the archaeology of the Welsh Uplands; and

- aerial monitoring of the condition of Scheduled Ancient Monuments.

2.5 In essence the Royal Warrant formally designated the Royal Commission as the national body of survey and recording of the historic environment in Wales. It empowered the body to survey, record, publish and maintain a database of ancient and historical sites, structures and landscapes illustrative of the culture, civilisation and condition of life in Wales from the earliest times. The Royal Commission also has the power to grant aid the work of third parties for the proposed specified in the Royal Warrant. The National Monuments Record (NMR), which underpins all the Royal Commission's activities, provides public access to the database together with an extensive archive of original material and records derived from the work of the Royal Commission and kindred bodies.

2.6 Traditionally, Royal Commissions have tended to be regarded as special kinds of ASPBs, with an enhanced independence deriving from their Royal Warrants, although the Royal Commissions (especially those which have existed for many years) need be no different from other ASPBs in the way in which they relate to their sponsors. In the case of the Royal Commission, the Welsh Assembly Government treats it as an executive ASPB and provides it with services not enjoyed by other ASPBs, for instance, Financial Accountabilities Division processes invoices and Personnel Division carries out work in relation to superannuation awards for Royal Commission staff. Internal Audit is carried out by the Internal Audit Service of the Welsh Assembly Government.

2.7 The Royal Commission is funded directly by the Welsh Assembly Government. Provision for The Royal Commission in 2002-2003 is £1.889 million (£1.303 million in 2001-2002). The body consists of 11 unpaid Commissioners under the Chairmanship of Professor R Griffiths. A staff of 35 is headed by the Secretary Mr P R White and the activities of The Royal Commission (undertaken in the name of the Commissioners) are managed through 3 functional branches: Survey; Information Management and Publications and Outreach, all supported by a small administration team. A list of Commissioners is at Annex 2.

Previous Reviews

2.8 The 1988 policy review of the Royal Commission was a joint study carried out for the Department of the Environment, Welsh Office and Scottish Office which reviewed the Royal Commissions in England, Wales and Scotland. It considered in detail the rationale for the continuation of the Royal Commission. It also looked at the question of merging the Royal Commission with Cadw.

2.9 The 1988 review found that while a number of arguments in favour of merger were valid, they did not constitute a case for major restructuring. The archive function was a distinct aspect of heritage, best handled by a single purpose body, and there did not appear to be any great efficiency benefits from merger. It also concluded that the most effective way to fulfil the information/database function was for the Royal Commission to continue as a separate entity and become the leading body for recording the national heritage in Wales. Similar recommendations were made in respect of the Royal Commissions in England and Scotland.

2.10 The 1988 review also recognised that there were major weaknesses in the style of working in the Royal Commission and that a major re-orientation of effort was needed if it was to represent good value for money. Major developments which then followed included the revised Royal Warrant in 1992; the introduction of corporate planning; a Financial Memorandum; the development of financial management and control systems; introduction of an annual staff appraisal system; the re-organisation of staff to a branch structure basis; and the commissioning of an Information Systems Strategy Study.

2.11 The January 1994 Financial Management and Policy Review of the Royal Commission recommended it should continue as a distinct organisation with the same range of functions. It made a number of recommendations including some relating to its relationship with Cadw, its corporate planning and its financial and personnel management and procedures.

Roles of the Royal Commission

2.12 The Royal Commission has various statutory roles. It is, for instance, one of the 6 amenity/heritage bodies that planning departments of local authorities must notify of any applications for listed building consent involving demolition, and the decisions subsequently taken by the authority. Where a listed building is to be demolished, the Royal Commission must be given at least one month to make a record of the building if it decides to do so. The Royal Commission also supplies authoritative field information on archaeological sites for the Ordnance Survey's products.

13. In pursuit of its now primary role of providing information and making it widely accessible by publishing and other means, the Royal Commission obtains information from a wide variety of sources eg Cadw on the listing of historic buildings and scheduling of monuments; the National Trust's Archaeological Survey records; and as a statutory place of deposit recognised by the Public Records Office, it is the national repository for archive material relevant to the built heritage. Finally, an important source of information and expertise is the survey work it carries out itself, and that it commissions from contractors.
14. It provides expert advice and guidance to a range of bodies such as the Historic Buildings Council for Wales, the Countryside Council for Wales, Forestry Commission, National Park authorities, service industries and local authorities.

2.15 There are important links between the Royal Commission, the Royal Commission in Scotland and English Heritage (which now incorporates the roles of the former English Royal Commission). Contact and collaboration has increased greatly between them in recent years with a number of joint initiatives taking place. The scope for further collaboration is discussed in paragraphs 6.7 and 6.9 below.

The Royal Commission and Cadw

2.16 Foremost among the many organisations whose work interacts with the Royal Commission are Cadw and the Welsh Archaeological Trusts. Some responsibilities have been rationalised between Cadw and The Royal Commission in recent years (see paragraphs 2.3-2.5 above). The information produced by Cadw through the listing and scheduling processes is an essential component of the 4 Sites and Monuments Records and the NMR. Much of the Royal

Commission's survey work feeds into the listing and scheduling processes via its aerial survey work, Uplands Initiative and other survey projects. In addition, the Royal Commission's emergency recording of threatened buildings has a direct link through to Cadw's listing functions, while its thematic surveys of certain building types can help Cadw determine criteria and priorities for listing. Essentially the two bodies are complementary, a situation underpinned by a Joint Statement they issued in 1999. In addition, under the terms of an agreement between the Public Records Office, it is the national repository for archive material relevant to the built heritage of Wales.

The Royal Commission and the 4 Welsh Archaeological Trusts

2.17 Both the Royal Commission and the 4 Welsh Archaeological Trusts hold and maintain modern records on archaeological sites in the NMR and the SMRs respectively. The NMR also holds primary archival material.

2.18 The information held by the 4 regional SMRs supports the development control activities of Local Planning Authorities as well as being a source of advice for many other organisations and individuals. They are predominantly archaeological and lack the amount of architectural information contained in the NMR. Under its 2000 Royal Warrant the Royal Commission is charged with the oversight of the SMRs and is now the channel through which grant aid is provided to collect and maintain the information in those records. The Royal Commission is currently taking the lead in a major project to provide a national index to the NMR the SMRs and other datasets through a forum of creators and users of data called the Extended National Database. The creation of a national computerised database of sites and monuments of archaeological and architectural interest will help users of all types of access information relating to the historic environment of Wales from wherever they are in the world. The web-based index to this database is called CARN.

2.19 The complex web of relationships between the Royal Commission, Cadw, the Welsh archaeological trusts, developers, local planning authorities and archaeological contractors is described in more detail at Annex 3. This system is unique to Wales.

3. THE CONTEXT FOR THE ROYAL COMMISSION'S WORK

Key Strategies and Themes of the Assembly

1. Many of the strategies and themes of the Assembly, and strategies of Assembly Sponsored Public Bodies (ASPBs), include elements relevant to the outcomes and outputs to which the Royal Commission contributes or potentially could contribute. In particular:
 - a. "The Plan for Wales" (published October 2001) contains (at page 15) the statement, "A sustainable, inclusive and equal Wales means conserving and improving our..... built environment". It goes on to make commitments "to conserve the historic environment" by a number of actions, including raising awareness of the importance of all aspects of the historic landscape of Wales.
 - b. Other commitments in the Plan for Wales are also relevant, for example:

- preparation of a Wales Spatial Plan, with a strong regional dimension (P15)
 - promotion of community regeneration and capacity building in rural areas (P17)
 - promotion and further development of tourism in Wales (P12)
 - review of major bodies (P21). This review represents that in relation to the Royal Commission.
- c. "Putting Wales First: A Partnership for the People of Wales" (October 2000). A number of the principles in this Partnership Agreement are particularly relevant to the historic environment.
- (2nd Environment Transport and Planning Principle) – "We are... committed to the full integration of environmental and socially sustainable development throughout all government bodies".
 - (Local Government and Housing Principles). These relate to the role of local authorities "We believe local authorities are ultimately accountable to the people of Wales for the quality and consistency of service they provide. We will work to assist them in the exercise of that accountability"
 - (Arts, Culture and Sport). The 7th initiative here is "we will encourage and develop the cultural industries in Wales...."
- d. "A Winning Wales – National Economic Development Strategy" (January 2002) sets out a 10 year strategy for transforming the economy of Wales, while promoting sustainable development. It provides a framework of objectives, targets and actions to guide economic development and to provide the conditions for businesses, communities and individuals to prosper. The strategy recognises the importance of the interaction between the economy, lifelong learning, communities, the environment and other policy areas. It includes action to present the culture, heritage and environment of Wales as key strengths in promoting Wales as an attractive location for both business and tourism.
- e. "Creative Future: Cymru Creadigol – A Culture Strategy for Wales" (February 2002). This pointed to the role which a number of stakeholders in the historic environment field had to play in implementing this strategy, "which are not always recognised for the contribution they make to the nation's cultural development" and went on to include some of them as examples (eg the National Trust, Archaeological Trusts). In launching the strategy, the Minister for Culture said that it was "about ensuring that culture makes its rightful contribution to the development and regeneration of our communities..." The Royal Commission is involved in the establishment of Culturenet.Cymru – an Assembly Government funded initiative to set up a national cultural networked ICT presence and services for Wales. Culturenet.Cymru will be located within Cymru Ar-lein, the Assembly Government's overall focus for the development of online technology in Wales. The Minister for Culture has indicated that the Lottery funded digitisation project "Gathering the Jewels", which she launched on line on 14 October 2002, should be given a longer Assembly Government funded life as part of Culturenet.Cymru.
- f. "Achieving our Potential: A Tourism Strategy for Wales" (Wales Tourist Board 2000 – foreword by First Minister). Again, the historic environment is relevant here, given that strategic objectives include "marketing Wales as an attractive all year round destination" and "to embrace a sustainable approach to tourism development which benefits society, involves local communities and enhances Wales' unique environmental and cultural assets."
- g. "A Better Wales: The Natural Environment of Wales in 2010". This sets out the Countryside Council for

Wales' (CCW) vision of the Wales they wish to see in 10 years' time, and steps to be taken in that timescale to improve the natural environment in urban as well as rural areas, to encourage people's enjoyment of it and contribute to economic development.

- h. "Woodlands for Wales: The National Assembly for Wales' Strategy for Trees and Woodlands" (2001). This presented a vision for forestry and woodland policy over the next 50 years, and set a direction for the way trees and woodlands will contribute to a sustainable future for the people of Wales. One of the strategic objectives of the strategy is to conserve and enhance the landscapes of Wales, including historic landscapes, parks and gardens.
- i. CyMAL :Museums Archives and Libraries Wales. A new unit , which will develop and implement policies for local museums , archives and libraries , will be established from 1 April 2004 within the Welsh Assembly Government (but located outside Cardiff) . There will also be an Advisory chaired by the Minister for Culture which will enable the sector (of which the Royal Commission is part) to contribute to policy development.
- j. "The Learning Country", the National Assembly's vision for education and lifelong learning to 2010, sets out priorities including removing barriers to learning and it also expresses the National Assembly's commitment to lifelong learning. The National Assembly is committed to working with partner organisations to ensure that their knowledge and experience is used in maximising access for all to learning opportunities. In the area of electronic access, the Assembly awarded a three year contract to develop National Grid for Learning Cymru in June 2002 to Curriculum Data Wales, a partnership between the Welsh Joint Education Committee, the "" Welsh local education authorities, BT Wales, Learn.co.uk , and supported by BBC Wales. This will result in a new bi-lingual electronic education portal for Wales, which aims to become the main online learning centre providing new curriculum materials and education resources for pupils and teachers. Following its formal launch early in 2003, it is proposed it will provide easy access for users to relevant sites, [including those whose content includes much from the Royal Commission's archives , ie "Gathering the Jewels" and Culturenet.Cymru when the latter becomes operational].[The Royal Commission has just appointed its first education officer, and one of its more recent appointees as a Commissioner is a recent acting Director of the National Grid for Learning Cymru..]

The wider field of historic environment in Wales

3.2 A variety of agencies carry out a wide range of activities in relation to identifying, understanding, conserving, accessing and exploiting (sustainably) the historic environment and information about it. The following table attempts to summarise this, in relation to Wales:

CURRENT FUNCTIONS IN THE FIELD OF THE HISTORIC ENVIRONMENT IN WALES

ROLE	ACTIVITY	MAIN AGENTS
Identifying and Understanding the Historic Environment	1) Commissioning research and survey	1) Cadw Royal Commission (inc setting standards) Developers

	2) Conducting research and survey	2. Welsh Archaeological Trusts Archaeological Contractors Universities Royal Commission
	3) Developing the National Record of Significant historic buildings and landscapes	3) Royal Commission Archaeological Trusts
Conserving the Historic Environment	1) Acting in relation to historic buildings and places meriting statutory protection	1) Cadw Local Planning Authorities
	2) Developing policy for the heritage sector	2) Cadw National Trust
	3) Setting and monitoring standards for the conservation of the historic environment	3) Cadw
	4) Funding the repair and enhancement of historic sites and buildings	4) Owners Cadw Heritage Lottery Fund Local Authorities
	5) Providing owners, developers and planners with guidance	5) Cadw Local Authority Conservation Staff

	6) Maintaining historic sites and monuments	6) Cadw (for properties in guardianship of Assembly) Other owners (private, voluntary and public sector)
Accessing and exploiting the historic environment and information about it, sustainably	1) Providing sustainable access and interpretation to Cadw sites	1) Cadw
	2) Encouraging sustainable access to other sites in the historic environment	2) Cadw Local Authorities CCW National Trust
	3) Disseminating the results of research to popular and professional audiences	3) Cadw Royal Commission
	4) Encouraging the educational use, for all ages, of the historic environment and information about it	4. Cadw Voluntary Sector (eg NT) Local Authorities Royal Commission
	5) Curating the National Monuments Record as the archive of the historic environment	5) Royal Commission
	6) Curating the Scheduled Monuments Records (SMRs)	6) Royal Commission (funder) Welsh Archaeological Trusts (recipient of grant aid towards helping maintain and enhance the SMRs)

3.5 The Environment Minister gave general support for the general approach described in paragraph 3.4 provides part of context in which the Royal Commission and other stakeholders related to the historic environment might help. Her comments included:

"The statement specifically relates to England but it raises some fundamental issues which are of relevance to Wales and other parts of the UK as well. I endorse the sentiments of the statement about the importance of our historic environment. Historic buildings, monuments, historic landscapes and towns are part of our heritage - they give us a sense of pride and belonging and we should do all we can to ensure that they are protected and, wherever possible, restored and conserved. But heritage conservation has far wider effects. Historic buildings contribute much to our social and economic development through tourism and re-use and regeneration of run-down historic building and areas. It also contributes much to our other priorities - equality of opportunity and social inclusion, education, sustainability and improved quality of life."

Recent Developments in the Assembly's relationship to Historic Environment issues

6. A number of developments in Wales during 2002 form a significant part of the background against which this review now takes place:

- a. the production of the draft report of the quinquennial review of Cadw, the Royal Commission's sponsor. This was discussed in EPT Committee on 15 May 2002, [and was subsequently submitted to the Cabinet - piece to follow on state of play with Cabinet response].
- b. The Environment Minister's proposal (in her paper, "Valuing our Heritage") at Cabinet on 29 April 2002, to have consultants engaged to provide the Cabinet with advice on the Historic Environment in relation to the Assembly. The relevant Cabinet paper and minutes were placed on the Assembly's website in June 2002. In her paper, Ms Essex indicated that the consultants' report would inform the Cabinet's response to the Cadw report described at (a) above. [The Chair and Secretary of the Royal Commission met the consultants in November 2002]
- c. The joint Cadw/National Trust Conference held on 12 July at the Workmen's Institute, Cwmaman, which considered the potential of the historic environment to contemplate for regeneration, social inclusion and sustainable development in Wales. The National Trust website (www.nationaltrust.org.uk) contains the synopsis of the day.

Ministerial Responsibility for the Royal Commission

3.7 The Royal Commission falls within the portfolio of the Culture Minister, who considers the Royal Commission's corporate plan each year in discussion with the chair.

Sponsorship

3.8 All ASPBs are sponsored by part of the Welsh Assembly Government. Cadw sponsors the Royal Commission. Cadw itself falls within the portfolio of the Minister for the Environment, Planning and Transport.

9. Cadw sponsors the Royal Commission. This involves 2 meetings per year at Senior Official level. Cadw also issues the Royal Commission with a letter informing it of its overall budget each year.

1. THE ROYAL COMMISSION'S WORK AND RESPONSIBILITIES

1. In drafting its Corporate Plan it is normal practice for the Royal Commission to have limited discussions with Cadw on the form and the content of the plan.
2. The Royal Commission's draft Corporate Plan is submitted to Cadw in March of each year, shortly before the start of the financial year to which the detailed plan relates. Although corporate plans, in the first instance, are intended to meet the management needs of the body concerned, they must also be in a form acceptable to sponsor divisions, so as to allow them to discharge their monitoring role effectively. The Royal Commission's corporate plan is also made available on its website, so it is accessible to a wide audience.
3. The Royal Commission's aims and objectives are derived from the 2000 Royal Warrant made in the year 2000. The current (2003 – 2006) Corporate Plan sets out descriptively the Royal Commission's strategic aims, taken from the Royal Warrant.

- a. implementation of the Information Systems Strategy (ISS)
- b. survey (identifying, surveying, interpreting, recording)
- c. information management (identify implementation of the ISS) – (compiling, maintaining and curating)
- d. publications and outreach (promoting on understanding)

1. The Corporate Plan states that in 2002 – 2003 the work of the Royal Commission will be pursued mainly through seeking to achieve the aims of 3 branches – survey, information and publications

a. Survey Branch

- i. to set standards in archaeological and architectural survey and to carry out work according to those standards

- ii. to record buildings and monuments under threat, especially in the fulfilment of statutory obligations
- i. to extend and update NMRW holdings relating to archaeological landscapes, monuments, sites and historic buildings of all periods and types. The Commission's Chapels Project is relevant to this aim and (ii) above. It was carried out in partnership with Capel (the Welsh chapel heritage society), local photographic societies and volunteers, the Board of Celtic Studies (University of Wales) and the Department of Art, University of Wales, Aberystwyth. Results have been published in a detailed Commission database, Cardiganshire County History, the Capel newsletter, and in a chapels module of the Aberystwyth School of Art. In future the work will also result in a Chapels Atlas on the web, and photographs and scaled images on the web.
- ii. to make publicly available the results of its field survey by various means, including the internet, exhibitions, catalogues, broad-sheets and books. For example, in recent years the Commission has and is undertaking a variety of tasks at the Blaenafon World Heritage Site, including mapping from existing aerial photographs and new aerial photography to establish the form of large features in the landscape and guide the work carried out on the ground as part of the Uplands Initiative in consultation with the partners of the Blaenafon project. The results of new discoveries enabled the recommencement of opencast mining to be halted. Results reaching the public domain have included contributions to the World Heritage Nomination Document; information boards being prepared for town and landscape in consultation with Torfaen Borough Council and Cadw; and the development of St Peter's School Interpretation and Education Centre in conjunction with Torfaen Borough Council, the National Trust and funding agencies.

b. Information Management Branch

- i. to compile, maintain and curate a database of information, a catalogue of the collections, and the NMRW archive as the national record of the archaeological and historical environment
- i. to acquire for preservation, original material for the national collection in line with the published Collecting Policy
- ii. to provide public access on-line to databases, and archive collections
- iii. to exercise responsibility for the oversight of local Sites and Monuments Records and to supply the Ordnance Survey with information for mapping purposes
- iv. to set standards for archaeological recording to be implemented internally and promoted externally
- v. to oversee the development of the Extended National Database (END) and other data exchange schemes

c. Publications and Outreach Branch

- i. to make available publicly the results of the Royal Commission's work, including the content of the NMRW, by various means, including exhibitions, catalogues, broadsheets, books and the

internet.

- ii. to support initiatives for lifelong learning
- iii. to maintain the library and information service
- iv. to develop and monitor a Welsh Language Policy

4.5 The Commission's performance measures, together with recent targets and outcomes are:

	2001-2	2000-1*
1. Fieldwork records converted into NMRW entries within 6 months:	91% (90%)	91% (90%)
2. Response to research enquiries within 7 days:	94% (95%)**	97% (95%)
3. User satisfaction of information service users:	89% (80%)**	-
4. Response to threatened buildings enquiries within 28 calendar days:	100% (90%)	99% (85%)
5. Publications and exhibitions in Corporate Plan:	Achieved***	Achieved
6. Operation within budget:	In excess of 2.0% underspend	3% underspend
7. Efficiency savings:	(Likely to be achieved) (2%)	2.6% (2%)

A promising feature of the above is that the Commission reviewed its measures in 2001 and added one on user satisfaction. Overall, however, the measures remain dominated by ones which measure performance on historical processes rather than gathering close to how this may have benefited those outside the Commission.

Recommendation 1: I recommend that the Commission adds 3-6 additional performance measures which get closer to helping assess the outcomes for Wales towards whose achievement it is a leading contributor.

Expenditure

4.6 Provision for the Royal Commission for 2002-2003 is £1.9m. This was formally notified to the Royal Commission by Cadw in March 2002, following which the Royal Commission finalised its corporate plan.

Role of Accounting Officer

- 7. The Accounting Officer for The Royal Commission is the Permanent Secretary of the Assembly. The location of this role with the Permanent Secretary as opposed to the Secretary of the Royal Commission, or even the Chief Executive of Cadw, has its origins in the status of the Royal Commission. Since the Royal Commission's expenditure is borne on a Vote and not financed by grant-in-aid it was considered that the status of a Royal Commission (set up by Royal Warrant) made it inappropriate for the Accounting Officer to be the Senior Officer of the Royal Commission

or for the responsibility to be passed to Cadw (albeit that Cadw is part of the Welsh Assembly, and its Chief Executive is its Accounting Officer). However, in principle, there is no reason why the Secretary of the Royal Commission could not be appointed as its Accounting Officer, and this has been the case at times in the past.

8. The Royal Commission's Secretary, as the senior officer, does, however, have analogous responsibilities to an Accounting Officer, and is personally accountable to the Permanent Secretary for the financial administration of the Royal Commission's activities and for the regularity and propriety of expenditure. The responsibilities of the Secretary are laid out in a letter to the incumbent from the Permanent Secretary paragraphs [to follow] of the Royal Commission's Financial Memorandum. A Financial Memorandum for the Royal Commission has been in place since 1992.
9. **Recommendation 2: I recommend that, subject to the Permanent Secretary being assured that this would be appropriate and that mechanisms such as an appropriate Accounting Officer Memorandum are in place, the Secretary should be designated as the Commission's Accounting Officer.** There would need to be some changes, for example the Management Statement would have to be amended so that the Commission Members, when contemplating the appointment of a Secretary, are formally required to satisfy themselves that any successful candidate will be acceptable to the Permanent Secretary for appointment as the Commission's Accounting Officer.

Overall Structure of the Royal Commission

10. The staff of the Commission are split into 3 main operational branches, with a support unit, as illustrated in the diagram below:

Secretary



PA

SURVEY INFORMATION PUBLICATIONS

MANAGEMENT AND OUTREACH

Air Survey	Archive	Books	Finance
Uplands Survey	Archaeological	Exhibitions	HR
Emergency	Mapping	Web-Site Photography	Purchasing
Building	Database	Education	Accommodation
Recording	Management	Library and reader services	
Detailed Site and Building	And IT		
Recording	Infrastructure		
	SMR		
	sponsorship		

4.11 [more information on staffing to follow]

Strategic Context – Comparison with England and Scotland

12. The Welsh Royal Commission's current Mission Statement is "The Royal Commission on the Ancient and Historical Monuments of Wales has a leading national role in promoting the understanding of the archaeological, built and maritime heritage in Wales, as the originator, curator and supplier of authoritative information for individual, corporate and governmental decision makers, researchers, and the general public."
13. The Scottish Royal Commission is a Non Departmental Public Body of the Scottish Executive with the following mission statement:
 - "- to survey and record the man-made environment of Scotland;
 - o to compile and maintain the National Monument Record of Scotland, a record of the archaeological and historical environment; and
 - o to promote understanding of the information by all appropriate means."
12. English Heritage is a Non Departmental Public Body (the English equivalent of an ASPB in Wales) sponsored by the Department of Culture Media and Sport (DCMS). DCMS's aim is "To improve the quality of life for all through cultural and sporting activities, and to strengthen the creative industries."
13. The principle aim of English Heritage is to preserve, enhance, provide access to and increase understanding of England's historic Environment. The 1999 – 2002 Funding Agreement between DCMS and English Heritage provides for English Heritage, with its partners,

"to achieve this and to contribute to the DCMS's aims and objectives by:

- conserving and enhancing the historic environment for present and future generations.
- encouraging physical and intellectual access to the historic environment
- increasing understanding of the historic environment
- maximising resources where they are most needed for the historic environment"

4.16 English Heritage's Mission (from its Strategic Plan 2001-2004) is "To help the people of England to understand, explore and conserve the past, to enjoy and enhance the present and to enrich the future of their shared historic environment."

4.17 Later in this report [paras 6.26 – 6.29], I consider the advantages and disadvantages of the Royal Commission merging with Cadw. It is interesting to note that:

(a) in England, the Royal Commission and English Heritage(both bodies appointed and sponsored by the Department of Culture , Media and Sport) merged over 3 years ago. This was not embodied in legislation until recently, with operational merger eased by the Chair and Commissioners of both bodies being the same people. The assets and staff of the English Royal Rommission transferred legally to English Heritage on 1 December 2002.

(b) in Scotland, the Scottish Executive decided , after a review, not to merge their Royal Commission and Historic Scotland. Historic Scotland is, like Cadw and unlike English Heritage, an integral part of the devolved administration of its country and not an appointed and sponsored body.

Archived Material in the 3 Countries

4.18 The major unique Royal Commission resource is its archives. An audit carried out in Spring 2002 recorded the following

a. Text

(i) Pages	3,470,033
(ii) Reports	1,659
(iii) Notebooks	259

a. Photographs

(i) Black and White	1,146,078
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(ii) Colour (inc. slides) 60,262

c. Drawings

67,655

d. Maps

Special Collection 17,813

Ordnance Survey Published c 40,000

e. Digital Media – special collection (i.e. in addition to the extensive electronic databases and records generated by the Royal Commission)

(i) Floppy Disks 20

(ii) Microfilm 221

(iii) Microfiche 4,260

(iv) CD-ROM 2

(v) VHS Video 1

f. Cadw public records

19. In addition the following entries exist in databases of the Royal Commission or hosted by them:

- core Royal Commission database - 53,767

- CARN - 138,664

- Digital Archive catalogue - 38,535

20. Scotland's Royal Commission has about 3 million photographs and half a million drawings. The English NMR was brought together in 1995/96 and comprises the English national archives of photographs, archives and written descriptions of England's architectural and archaeological heritage, and the historic environment databases of buildings and sites in England and its territorial waters, known as Heritage Datasets

21. Breakdown of English NMR material:

Air photographs - 3,000,000

Drawings and Prints - 350,000

Terrestrial photographs - 6,000,000

Database records:

Monuments - 357,377

Events - 175,816

Maritime - 36,701

Reports etc - 210,000

4.22 The negatives and prints associated with one image count as one item in the figures above.

Use of Archived Material

4.23 In the 2 years to July 2002, RCAHMW was used as follows.

a. Library enquiries

i. A total of 2385 substantive external enquiries were received by the library, from enquirers as follows:

1. General Public 48%
2. Education 20%
3. Commercial and Media 16%
4. The Welsh Archaeological Trusts 8%
5. Local Authorities 2%
6. Cadw 2%
7. Other (learned societies,
conservation bodies, other parts
of National Assembly etc). 5%

(ii) Excluding those who directly accessed databases out of 1,015 enquiries received during 2001/2, first contact was made as follows:

1. Telephone 49%
2. Letter 25%
3. E-mail/Web Forms 23%
4. Visitors in person 2%
5. Fax 1%

a. Electronic Enquiries

- i. Visitors to website by end of October 2002 – 21,151 (about 8% to the Welsh language version)
- ii. Registered users of on line databases (in CARN) – 2,531 (who in early 2002 were making about 1,500 enquiries per month). Among the users of CARN referred to above were people in 23 countries on all the continents except Antarctica.

a. Recent Trends and User Satisfaction

Visitor facilities at the Commission have been improved in the last year and appear to have coincided with recent increases in enquiries to staff (up 20% in July to September this year compared with the same period last year) and to the Commission's on-line databases. The Commission's target for user satisfaction (introduced in 2001) is currently 80%, with the last 2 quarters' achievement being 94% and 93%.

4.24 The National Library of Wales (NLW), also located in Aberystwyth, deals with a wide range of enquiries and enquiries at the NLW's former Department of Printed Books (not the library as a whole), the sources of nearly 5,000 enquiries were:

1. Phone 44%

2. E-mail 36%

3. Letter 19%

4. Fax 1%

4.25 In a fairly typical quarter of 2001, NLW enquiry services classified enquiries as follows:

1. Bibliographical	26%
2. Photocopies of articles and enquiries on the library	25%
3. Local history and its collections	12%
4. Welsh history	8%
5. Literature	8%
6. Biographical	8%
7. Other (inc. genealogy, music, religion, politics)	13%

26. The English NMR logs only external "substantive" enquiries which require specific reference to NMR resources, falling in two categories – conventional external enquiries and self service electronic enquiries. In 2001 – 2002 the English NMR logged 16,745 conventional external enquiries were managed by the English NMR from the following sources

1. General Public	49%
2. Commercial	35%
3. Education	7%
4. Conservation	5%
5. Local Authorities	3%
6. Government	1%

There were 3,386 external visitors to the searchrooms(excluding tours, exhibitions , education and outreach)

27. The means of contact were:

1. E-mail/web forms	29%
2. Letter	27%
3. Phone	27%
4. Fax	17%
5. Visited and left a request	3%

Self-service electronic enquiries – 54,404

Images of England Requests - 3.4 million

28. In Scotland in 2000 - 2001, the Scottish Royal Commission experienced :

Visits 4000

e-mails/fax/telephone/postal enquiries 10,000

web enquiries via CANMORE* 33,000(147,000 the following year)

* CANMORE -

Structure and functions – comparison with England and Scotland

4.29 The approximate resourcing of (2000-01 for England, 2001-02 for Scotland and Wales) the three countries' organisations is shown here:

	Net Provision	Income
Royal Commission (Wales)	£1.3m	£30,000

Royal Commission (Scotland)	£3.1m	£593,000 (£214,000 of which from Heritage Lottery Fund)
Royal Commission Part of English Heritage attributable to the former Royal Commission for Historic Monuments in England.	£13m	£300,000

Note: 1998/9 is the last year for which pre-merger figures are available .

4.30-32 On staffing, the overall numbers compare as follows:

Wales - 32 staff

Scotland - 91 staff(53 permanent)

England - 220 staff

Other contrasts between England, Scotland and Wales

4.33 The paragraphs immediately above compare the bodies in Scotland and England which are comparable to the Welsh Royal Commission. There are other differences between the contexts within which the 3 bodies work.

34. For example (as fact not per se criticism) local authorities in England often undertake a greater extent and range of activities in the field of the historic environment in their area than their Welsh counterparts. The NMR in England has adopted a key role in acting as an advocate for local authority sites and monuments records(SMRs) and proactively helping to increase SMR capacity. In Wales, the 4 archaeological trusts (described further at paragraphs 2.17 and Annex 3) curate and manage the SMRs covering Wales. Only 2 local authorities (plus the National Park authorities) in Wales employ archaeologists. Between them, the 4 archaeological trusts employ 50-60 archaeologists.

4.35 The Royal Commission on the Ancient and Historical Monuments in Wales gives grants of [£100,000+] per year to the 4 archaeological trusts in Wales (which are independent registered charities) towards the cost of them maintaining Sites and Monuments Records (SMRs) for the areas they cover. Cadw gives them grants of [£1million+] per year including an amount to support the use of the SMRs by local authorities to assist them with their land use planning responsibilities. Only some of Wales' local authorities make a contribution themselves direct to the relevant trust.

36. In England all, and Scotland most , local authorities maintain SMRs and carry out the work needed to inform land use planning work themselves.

Collaboration with Scotland

4.37 After considering options for the way forward (including possibly with English Heritage) with enhancing electronic use of its archives by all types of user, the Welsh and Scottish Royal Commissions have agreed, in principle, to collaborate in this field. I should add that, at the same time there continues to be a long-standing tradition of co-operation between the 3 NMRs of Wales, England and Scotland.

4.38 The Welsh and Scottish Commissions (RCAHMW and RCAHMS) operate under Royal Warrants with the same objectives and share common goals:

- To survey and record their historic environments
- To compile, maintain and curate their National Monuments Record
- To promote and understanding of this information by all appropriate means

4.39 In principle, it has been agreed to use the well-developed database of the National Monuments Record of Scotland (NMRS) as a model for the National Monuments Record of Wales (NMRW) by establishing close working partnerships between the two organisations and using one computer solution to serve both organisations.

4.40 The 2 organisations are working together to flesh out what this will require in terms of resources from both organisations, including finance, technology, staff, maintenance and support.

4.41 Benefits of this approach will include

- a. An integrated data system allowing data input and retrieval for all staff at RCAHMW
- b. Improved standardisation and consistency to data imposed by rigorous database
- c. Ability to run the system from remote locations (home, abroad, on fieldwork) because the system is delivered using password protected web technology
- d. Automatic delivery to the public of selected elements of the RCAHMW database and map data on the Web through the existing technology currently running Scottish systems
- e. Quicker and cheaper than starting an application from scratch. RCAHMS has an existing database that already closely matches the RCAHMW requirements
- f. Cheaper development costs through economies of scale
- g. Cheaper hardware and software licences through economies of scale
- h. Improved standardisation
- i. Improved access for users
- j. Cheaper development of co-operative ventures (eg with Ordnance Survey)

4.42 Staff in Wales would be able to use the application in the normal way and control their own data, but would not have to maintain the computer system that operates it. There would be no need to impose uniformity between the two organisations and RCAHMW could have customised in use in Wales. The aim, ultimately, would be to merge the functionality of the two systems providing economies of scale in IT development and in information management and retrieval. Staff in RCAHMW and RCAHMS would work together to enhance existing applications and build others to meet mutual requirements, and experienced staff in both organisations would work in partnership to establish data standards, undertake data enhancement programmes and develop joint visions for working relationships with a network of users both in and beyond their respective

countries.

4.43 Areas of work a merged database structure would assist projects including:

- a. Public Access to NMR data – The well regarded means of public access to Scottish NMR data would be automatically available in Wales as part of the merged systems.
- b. A number of networked opportunities will arise including:
 - i. The OS heritage layer – a development that the **three** NMRs are pursuing with Ordnance Survey to associate heritage data with OS new product – Mastermap. The pilot project between OS and RCAHMS has proved this in concept. It would be easily adapted to include the RCAHMW information.
 - ii. A catalogue which would provide access to RCAHMW material through consolidated searches. It would be a means of providing information to the higher education sector.
 - iii. HEIRPORT – launched in January 2002, this network provides live access to linked heritage databases.
 - iiii. HEIRNET – jointly sponsored by RCAHMS, RCAHMW and English Heritage, this provides an index to heritage resources held throughout the UK. Links to live databases are available through HEIRNET.
- a. online catalogues of collections including the aerial photography catalogue. It could also be used to produce combined catalogues for a number of collections that are split between the NMR of England, Scotland and Wales.
- b. Other developments not directly within the scope of the project in the first instance, but close so-operation of staff in RCAHMW and RCAHMS could assist with their development: -
 - i. **GIS:** However, the fact that RCAHMW and RCAHMS are using the same software and potentially relating to the same database structure provides opportunities for sharing solutions to similar problems. The RCAHMW has discussed their planned collaboration with the Scots with the Welsh Assembly Government GIS unit (which is also located in Aberystwyth – and which also works in collaboration with Ordnance Survey).
 - ii. **Airphotofinder:** RCAHMS will be taking forward a development to index vertical aerial survey collections using flights sortie plots. This will be available to extend to cover Wales, although it probably will not be integrated with the database initially and should be regarded as a separate project.
 - iii. **Images:** RCAHMS is working on a pilot project to incorporate images into the database. When this is fully developed, it will become automatically available to RCAHMW.

5 RESPONSES TO THE CONSULTATION EXERCISE

5.1 A wide range of bodies and individuals working in the fields with a known or potential interest in the Historic Environment of Wales were invited to submit written responses to a consultation letter (copy at Annex 4) issued at the end of March 2002, and placed on the websites of the Welsh

Assembly Government and the Royal Commission.

5.2 A total of just over 50 responses was received from a wide range of organisations and individuals. I am very grateful to all those who replied (list at end of Annex 5).

The Fundamental Questions

3. A summary of responses is at Annex 5 which divides the major points raised into subject areas based broadly on the questions in the consultation letter. Most of the points raised are represented by a selection of appropriate quotations from responses.
4. The other parts of this report draw on the comments received, but not normally with explicit acknowledgement. Themes common to many responses were;
 - how damaging for Wales abolition of the Royal Commission's functions would be;
 - that the Royal Commission has too few resources;
 - very positive comments about the quality of the Royal Commission's work and its plans for the future, especially in the field of electronic access;
 - negative comments (some very strong from parts of the archaeological community) about the directions the Royal Commission has taken in the last 10 years, mainly about the shift in the balance of its work away from its own staff undertaking directly so much survey and recording work
 - strong support for, and also strong opposition to, merging the Royal Commission with Cadw; and
 - a need to sort out the Assembly's strategic vision for the historic environment before making long term decisions on the future shape of the Royal Commission's roles.
3. The responses to the consultation exercise are clearly the result of careful thought and range from those who have very positive experiences of the Commission's work to those, especially from parts of the archaeological community and the archaeological trusts who have serious concerns about it. Equally, many of those organisations with strong positive and negative views on the Royal Commission may stand to gain or lose from changes resulting from this review.
4. **Recommendation 3: I recommend that the Royal Commission, and its sponsor Cadw, consider this report and the responses to the consultation exercise as one input to its plain policy and management development work.** I recognise that many of the issues raised will be well known to them, and of course many reflect desires for increased resources in a variety of areas – the Royal Commission and its sponsor has to deal when finite resources and competing priorities (which could involve choices on the priorities of the activities of the Royal Commission, the Welsh Archaeological Trusts or even Cadw itself) will always be the order of the day. The Royal Commission presents its position statement at Annex 7.

6. OPTIONS FOR CHANGE

6.1 This section considers a number of options for changes to the Royal Commission in the context of the Assembly's interests in the historic environment of Wales.

2. The **current** overall context for the Royal Commission's activities is described at Section 3, especially paragraph 3.2. Until there is an outcome of the processes described at para 3.2, not all decisions on changes to the Royal Commission's functions or organisation, if it is decided that any need to be made, should be taken. Nevertheless, this review needs to consider a range of options which could be candidates for action either now or for potential follow up once the strategic framework within which the Royal Commission operates and is clarified and endorsed by the Assembly.

6.3 The range of options considered here are:

1. Abolish all of the Royal Commission's functions
2. What functions should the Royal Commission carry out?
 3. Should the Royal Commission merge with other bodies which may have adjoining or overlapping interests?
 - o The National Library for Wales
 - o The National Museums and Galleries of Wales
 - o Cadw
 4. Is the Royal Commission's status as an ASPB the right organisational model? - or would a different model such as an executive agency or a conventional line division within the National Assembly better serve the policy and service delivery needs the Wales Assembly Government has in this field?

6.4 The conclusions flowing from the text which follows in the next 43 paragraphs are summarised in the table at paragraph 6.47, at the end of this section.

Organisational Change: General Considerations

6.5 Many of the options listed above involve the possibility of transferring all or some of the Royal Commission's functions to another organisation or organisations. However, the continuous improvement sought in the delivery of the Royal Commission's services (as in those delivered by all other services delivered by bodies sponsored by the Assembly) does not mean structural changes in organisation are necessarily the answer: the adoption of improved working practices, more appropriate service delivery mechanisms by the organisation(s) affected, or different reporting mechanisms may well provide better solutions. Overall attitudes, ownership of issues and

accountability of the Royal Commission and its various partners may be more pertinent than detailed structural issues.

6.6 There have to be significant and highly probable benefits to outweigh the inevitable disadvantages that always arise from a process of organisational change. Advantages could be realised, for example, if a suitable organisation with similar experience and skills to those of the Royal Commission could readily absorb existing work and generate one or more of the following types of benefits: greater synergy, economies of scale, or a more rationalised system of service.

Legal Basis for the Royal Commission's existence

7. The implications of change are not necessarily just structural or behavioural. In the case of the Royal Commission, there may also be significant legal obstacles to overcome where significant change is recommended. The abolition of the Royal Commission would require the revocation of the Royal Warrant by Her Majesty or, as is likely to be more appropriate given the relatively complex nature and size of the Royal Commission, primary UK legislation.
8. This report (as reflected in paragraphs 6.10 – 6.46) does **not** recommend the abolition of the Royal Commission. However, as a separate issue the Assembly's powers in relation to the Royal Commission's existence do not seem adequate. The Welsh Assembly Government provides the Royal Commission directly with over 97% of its funding and, in substantive terms, decides who should serve as Commissioners.
9. In these circumstances, it seems appropriate that the Assembly should have the powers to abolish the Royal Commission, or alter its overall functions without needing to seek primary legislation, amendment of the Royal Warrant, on each occasion on which it wishes to exercise such powers.
Recommendation 4: I therefore recommend that the next suitable opportunity be taken to obtain the primary legislation which would transfer the power to the Assembly to change the functions of the Royal Commission or to abolish it.

Option 1: Abolish all of the Royal Commission's Functions

10. Abolish the Royal Commission's functions, with none of them being carried out by, or being transferred to, any other organisation would involve a course of action that would run counter to the Welsh Assembly Government's strongly held public commitments towards protecting the historic environment of Wales. I found it interesting that a speaker from Eire at the Conference on the historic environment of Wales held in Cwmaman near Aberdare in July 2002 told the conference that Eire had found it necessary in recent years to establish an organisation(name?) with a similar role to that of the Royal Commission. This in a country whose overall approach to the historic environment has been widely praised internationally for some years. **Recommendation 5: I therefore recommend that, broadly speaking, the functions currently discharged by the Royal Commission are necessary, and that those functions associated with enabling open and informative electronic access to all members of the public in Wales and beyond have great potential to contribute to a range of major Assembly themes and strategies.**

Option 2: Change the Functions the Royal Commission carries out

11. Most of the Royal Commission's activities support key Assembly Policies (such as the Plan for Wales). It is the means within Wales by which the UK's obligations under the Valletta Convention are met. Some of its activities could be ceased without primary legislation. As the transfer of some roles from Cadw to the Royal Commission over the last 15 years indicates, some of the Royal Commission's functions could be delivered by other bodies, for example:

- a. some functions could, in appropriate circumstances, be delegated to local authorities. English local authorities generally carry more responsibilities for the historic environment within their areas than their Welsh counterparts, although it is some Welsh Archaeological Trust activities rather than direct Royal Commission activities which in England are carried out by local planning authorities.
- b. Some functions could, in theory, be transferred to parts of the Assembly, including Cadw.

6.12 Given the changes in the last 10 years which have tilted the balance of the Royal Commission's focus very firmly towards its archival and dissemination activities, it might be thought by some that its survey activity was no longer an essential role. In my view this is not the case as it seems to me that the Commission as a whole has succeeded in becoming as that cliché would have it, greater than the sum of its parts. The archival and dissemination activities would not be of as high a quality were it not for the Commission's continued activities in survey in a variety of ways [more to follow]

13. The legal mechanism currently available under Section 28 of, and Part IV of schedule 4 to, the Government of Wales Act 1998 allows the Assembly (with the consent of the Royal Commission) to change the functions of the Royal Commission, but this is a limited power which only allows for the addition of functions to be exercised by the Royal Commission. Given some lack of clarity over the future direction of the Assembly's relationship with the historic environment (see para 3.2 on the recent appointment of consultants for example) and the legal impediments to **removing** functions (see paras 6.7 – 6.9 for more detail). **Recommendation 6: I recommend that consideration of the transfer of functions into or out of the Royal Commission awaits the Welsh Assembly Government's decisions when it has considered its consultants' report , and the implementation of Recommendation 3 to increase the general powers of the Assembly over the Royal Commission's functions.**

Option 3: Merging the Royal Commission with other Bodies

14. This section considers the advantages and disadvantages of potential merger with three bodies which have interests adjoining those of Cadw.
- a. National Library for Wales
 - b. National Museums and Galleries of Wales
 - c. Cadw

The first two of these bodies are executive Assembly Sponsored Public Bodies (ASPBs), with appointed members responsible for the overall direction of each within the framework supplied by their founding legislation and Welsh Assembly Government policies. The third (Cadw) is an executive agency, and therefore an integral

part of the Welsh Assembly Government, established by administrative decision.

National Library of Wales (NLW)

6.15 The 2002 quinquennial review of the NLW recommended that this review should give consideration to the advantages and disadvantages of potential merging of the Royal Commission's archive operations with those of the NLW.

6.16 The advantages of this option include:

- a. Both bodies are based in Aberystwyth.
- b. Both bodies' archives contain large collections of maps, photographs and other documents.
- c. Both bodies are working (sometimes together, especially as 2 members of "Gathering the Jewels") to digitise large amounts of their archives

17. The disadvantages of this option include:

- a. The two organisations' activities are quite different – with the Royal Commission focused on the Historic Environment of Wales above, and itself actively contributing to the creation of its own archive through survey and production of publications. The library has no equivalent of these activities.
- b. Lack of support for such a merger in the archives and library field in Wales. Such comments as have been received from national and local bodies oppose merger.
- c. While this report, below, recommends against merger with Cadw for the foreseeable future, it clearly is an option in the longer term. Merging now with the NLW would push the possibility of merger with Cadw far further into the future.

17. In the light of the above, **Recommendation 7: I recommend that the Royal Commission does not merge with the National Library of Wales.**

18. Despite the above recommendation, there does seem to be scope for greater communication and joint working between the NLW and the Royal Commission, in support of each other's services to Wales. Both have collections of maps and photographs for example. A good understanding by both bodies of what is held by the other would be beneficial. In addition both are involved in digitisation exercises, and are likely to benefit from discussing their plans, and building in appropriate links when they make material available by electronic means.

19. The NLW is not the only body in the libraries and archives sector with which the Royal Commission currently has beneficial contacts, and where there is the potential for the delivery of improved services in the future from increased contact and joint working.

6.21 **Recommendation 8: I recommend that the Royal Commission considers with bodies in the libraries and archives field the opportunities for mutually beneficial and joint activities designed to improve the relevant bodies' delivery of services.** An example where this has recently happened has been a recent successful bid by Archives Network Wales (in which the Royal Commission is a partner with local authorities, universities and the National Library of Wales) to the Heritage Lottery Fund. [I also note that the October 2002 Programme of Value for Money Examinations submitted by the Auditor General for Wales to the Audit Committee of the Assembly indicates as one of its value for money examinations for 2004-2005 or later, "Widening

access to the NLW". There may be scope for the Royal Commission to contribute to and learn from this exercise.]

National Museums and Galleries of Wales (NMGW)

22. The 2001 quinquennial review of the NMGW recommended that there was no case for the reorganisation of the structure in relation to possible overlaps with Cadw. The Welsh Assembly Government response recognised this as sensible but wished to consider it further in the light of the outcome of the quinquennial review of Cadw.

23. The advantages of this option include:

- a. the bringing together to two national bodies both concerned within the heritage and culture of Wales.
- b. the unification of two bodies which are both concerned to present aspects of heritage to the public.

22. The disadvantages of this option include:

- a. great differences in the types of operation the two bodies. NMGW operates a service it delivers directly to the public at a number of resource intensive sites. Other functions of the Royal Commission are more indirect – regulatory and grant aiding foundations for example.

22. **Recommendation 9:** In the light of the above, **I recommend that the Royal Commission does not merge with the National Museums and Galleries of Wales.**

Cadw

23. I have presented Stage I of the interim report of the quinquennial review of Cadw to Ministers (Cadw falls within the portfolio of the Minister for Environment, Planning and Transport and the EPT Committee) following discussion in EPT committee on 15 May 2002[to be updated in the light of developments over the next few weeks].

24. The advantages to this option include:

- a. to bring together the national body charged with recording the historic environment with that concerned with overall policy and management of it.
- b. to assist in the avoidance of any confusion or overlap between the activities of the two bodies. The Welsh Archaeological Trusts, in particular, are very critical of the role of the Royal Commission as the source of the public funding they receive every year to fund the creation of their regional SMRs and generally recommend merger with Cadw as a way of improving matters from their own standpoints.

22. The disadvantages to this option include:

- a. para 3.2 describes a range of activities currently under way in the Welsh Assembly Government in the field of the historic environment. It would be inappropriate to decide on merger before the consultants have finished their work.

- b. unless the merged body was an ASPB (as the Royal Commission is, but Cadw is not), loss of a

group of Commissioners who currently bring expertise to the overall direction of the Royal Commission.

c. the likelihood that any merger involving the Royal Commission would require primary legislation, inevitably increasing damaging delay and uncertainty surrounding charge.

d. if the merged body was an ASPB, the "Cadw part" would be changing its status. The Cadw Review described advantages and disadvantages to Cadw becoming an ASPB, concluding with a recommendation that it should not.

e. the Royal Commission is well advanced on important partnerships (especially with the Scottish Royal Commission described at paragraphs 4.37 to 4.43), which will deliver outputs which will contribute to Assembly policies. Cadw itself is not involved in these partnerships and merger is unlikely to aid them – the disruption is likely to confuse and delay.

f. In England, English Heritage and the English Royal Commission merged in operational terms in 1999, but it is only in 2002 that primary legislation has been obtained to allow their legal merger. This operational merger was possible as the board members of English Heritage (which is unlike Cadw not an agency but an English equivalent of an ASPB) and the Royal Commission were the same people. Cadw, not being an ASPB, and being part of the Assembly, has no board members, so Cadw and the Welsh Royal Commission could not be united operationally in the same way ahead of primary legislation.

23. Recommendation 10: I recommend that merger with Cadw not be pursued, but that, in principle, this is the merger whose advantages and disadvantages will be worthy of reconsideration in the long term.

Is the Royal Commission status as an ASPB the right organisational model?

24. Responses to the consultation letter suggested (where the issue was raised at all) that the Royal Commission should retain its ASPB status .

25. This section considers different potential models for the Royal Commission's governance, plus some consideration of possible combinations of models:

- a. the Royal Commission remains as an ASPB. (ie the status quo).
- b. the Royal Commission to become an executive agency.
- c. the Royal Commission to be run as a "conventional" line division within the Assembly.

The Royal Commission to remain as ASPB

22. The advantages to this option are:

- a. since the mid 1990s the Royal Commission has delivered well against the main targets set for it.
- b. the Royal Commission performs many of the functions within its current remit well. So why, at least as far as those functions are concerned, change status?
- c. the Commissioners bring a wealth of experience to the work, at very low cost. Their removal would

probably lead to the Royal Commission incurring some expenditure in buying in expertise previously provided by the Commissioners and/or establishing an advisory group to do the same thing.

22. The disadvantages to continuation of ASPB status include:

- a. costs (vary – less than 0.5% of budget) relating to the Commissioners' work (they personally are unpaid)

The Royal Commission to become an Executive Agency

6.34 This would involve the Commission becoming an integral part of the Welsh Assembly Government. The advantages would include:

- a. Commissioners no longer needed to take responsibility for the operation of the Royal Commission – although their expertise, experience and advice could be retained, in principle, by the creation of an advisory committee to help guide on strategy
- b. integration of activity into the Assembly could involve more support facilities to be provided by the Welsh Assembly Government – with small cost savings possible
- c. agency status can be well suited to operational tasks.

6.35 Disadvantages would include:

- a. loss of the potential of the ASPB sponsorship role, as Executive Agencies do not normally have sponsors, given they are already part of the Welsh Assembly Government.
- b. as Cadw already has this status, would it make sense to create a new small Executive Agency alongside it? Especially when my interim report of the quinquennial review of Cadw advises against Cadw continuing to be the type of Executive Agency it currently is, so there are questions made over the suitability of at least one version of the Executive Agency model for work in this field.

The Royal Commission to become a "conventional" line division within the Welsh Assembly Government

36. The advantages and disadvantages of this course would be similar to that for executive agency status, as both are within the Welsh Assembly Government with the additional advantage would being confusion about its status than with executive agency status. To some, executive agency status implies a greater degree of "arms length" relationship with the Welsh Assembly Government than is the case – executive agencies are just as much integral parts of Welsh Assembly Government as "conventional" line divisions.

6.37 In considering the future organisational model for the Royal Commission, it has to be borne in mind that primary legislation would probably be needed to change from its current status. If the recommendation at paragraph 6.9 were implemented, that would cease to be an obstacle in the longer term. Even so, given the present uncertainty as to the long term path the Welsh Assembly Government will follow in relation to its responsibilities in the field of the historic environment.

Recommendation 11: I recommend the Royal Commission should remain as an APSB.

Sponsorship by Cadw

38. Cadw comments on the draft corporate plan and Annual Report of the Commission and advises the Minister for Culture accordingly. Cadw holds two formal monitoring meetings with the Commission each year, at which progress with targets is discussed. At present Cadw's annual report makes no substantive reference to the work of the Commission, nor does Cadw's operational plan – both of Cadw's own documents (as those of an executive agency) focus on the delivery of targets set for Cadw by the Assembly Government. This is unusual for the "sponsor" of an executive ASPB but Cadw is of course an unusual sponsor. One way of better defining the context in which the Commission is working would be to include in the remit letter more explicit references to specific outcomes to which Cadw, as the Commission's sponsor within the Welsh Assembly Government, may wish the Royal Commission to contribute. The most recent remit letter issued by Cadw to the Royal Commission is copied at Annex 8. That context itself is likely to evolve in the light of a consultation exercise early in 2003 which will be intended to better identify a single vision for the historic environment of Wales and reassess objectives for the years ahead.
39. **Recommendation 12: I recommend that Cadw and the Royal Commission should better identify and record the manner in which the latter's work contributes to the historic environment of Wales, for example in the annual remit letter from Cadw.** Such a focus is particularly important since priorities for the historic environment and our vision and management of it may change following the projected consultation exercise and some of the recommendations, if accepted of my interim quinquennial report on Cadw.

Partnerships

40. While I advise against merger with any bodies for the foreseeable future, the further development of formal and informal partnerships with the above and other bodies is essential. The fact that a range of partnerships with other bodies is core to the Commission achieving its main objectives and to all capitalising on the potential it has to contribute to various agendas forms part of the background to my view that it should not, for the foreseeable future, be merged with any other body as partnership working would be unlikely to be improved with bodies other than the one into which it might be merged.
41. **Recommendation 13: I therefore recommend that the Royal Commission continues to develop partnerships where they can enable achievements which contribute to Assembly strategies and themes.**

The Name of the Royal Commission

42. The Royal Commission is a body which is little known among the people of Wales, yet many unaware of its existence could potentially benefit from its activities and services. The Commission itself is aware of this and is pursuing various courses of action to improve the situation. I think its name is a barrier, and hand in hand with changes to its legal basis, a new name could be adopted. Cadw is an example of a body which has achieved a valuable branding since adopting its name in 1984.
43. **Recommendation 14: I therefore recommend that if Recommendation 3 (paragraph 6.9) is accepted, the opportunity be taken to change the name of the Royal Commission to one which is briefer.**

Copyright

6.44 A number of those who responded to the consultation exercises, and a number of those who I met while gathering evidence, raised various issues relating to copyright. In broad terms, I discerned the following issues in this area:

- a. new UK legislation in this field is being promoted by the Patent Office which may have an impact on those who plan to make material from their archives available electronically;
- b. copyright legislation is complex - many with an interest in using archives do not understand copyright issues;
- c. whatever complications there may be resulting from copyright legislation, there may be times when tensions between the Royal Commission and its partners, especially the Archaeological Trusts, lead to the copyright issues being more difficult than they perhaps need to be.

6.45 Recommendation 15: I therefore recommend that the Royal Commission:

- a. **establish , make public and operate a clear policy in relation to the copyright of material it adds to its archive so as to enable its digitisation to be carried out without unnecessary difficulty.** It is likely to find that the Patent Office (the lead policy unit within the UK Government and which has and is producing accessible guidance) would be willing to assist it in this – particularly if bodies similar to the Commission in the UK were to do likewise). Such guidance could include the implications of copyright legislation due to be made at the end of this year.
- b. **seeks, possibly in partnership with other Welsh bodies, to prepare and issue a clear statement on where it stands on copyright matters.**
- c. **seeks, in partnership with relevant bodies including the Cadw (the major public funder of the 4 regional sites and monuments records), Welsh Archaeological Trusts, to ensure that copyright issues are not allowed to become an unnecessary obstacle for appropriate access to information which has been created by the use of public funds, or which has some into existence through the operation of the statutory planning systems (for which the Welsh Assembly Government has overall responsibility in Wales)**

6.46 Under copyright legislation(eg sections 45 and 46 of the Copyright Act 1988) Royal Commissions enjoy privileges not available to other types of ASPB. **Recommendation 16: I recommend the potential loss of the copyright privileges which the Royal Commission currently enjoys be taken into account in two ways:**

- a. **by the Commission in its long term planning, as it may not always have these privileges (eg if copyright legislation were to change , or if the Commission were to cease to be a Royal Commission at some future date)**
- b. **by the Welsh Assembly Government, if it were to decide at some future date (when**

it had acquired the powers to do so) to cause the Commission to lose its Royal commission status.

47. The following table summarises the options considered above, and the conclusions reached

OPTION	REPORT'S CONCLUSION ON VIABILITY
1. Abolish all of the Royal Commission Functions	No – and consider transfer of functions in or out only when consultation on historic environment is complete and Assembly's powers increase.
2. Merge with National Library of Wales (NLW)	No – but scope for more joint activities with NLW and others in libraries and archives fields
3. Merge with National Museums and Galleries of Wales (NMGW)	No
4. Merge with Cadw	No – but long term , the advantages and disadvantages well worth reconsideration.
5. Royal Commission to remain as ASPB	Yes – having considered the alternatives of turning it into an executive agency or conventional Welsh Assembly Government division.

10. ANNEXES

1. Terms of Reference
2. Current Royal Warrant and Membership of Royal Commission
3. Archaeological Advice and Information in Wales – a web of complex relationships
4. Consultation letter and attachment
5. Response to consultation letter
6. Those with whom discussions were held
7. Position Statement by Royal Commission
8. Cadw's remit and 2002-03 budget allocation letter to the Royal Commission