

East Lothian Council Archaeology Service HER Access and Charging Policy



This policy statement sets out the framework and guidelines for access to information held by East Lothian Council Archaeology Service and to information contained in the East Lothian and Midlothian Historic Environment Record (HER). It sets out the circumstances where charges will be made for the provision of HER data, and the level of charges. Charges relate to the time taken to collate and prepare the HER information into a suitable digital format, and in some cases for also providing curatorial advice.

Background

The HER contains records of all known archaeological and historic sites within East Lothian and Midlothian. This includes buried archaeological remains, monuments, historic buildings, landscapes and artefacts, as well as records of recent archaeological fieldwork projects. The HER includes sites of all periods, from the earliest human activity more than 10,000 years ago, up to the present day. The HER is comprised of a database with over 25,000 records, linked to GIS mapping. This is supplemented with a wide range of reference material, including fieldwork reports, photographs, plans, aerial photographs, and historic maps. The database is updated regularly with new finds and discoveries.

The HER is a key resource used by the Archaeology Service as the basis for historic environment conservation and management advice, such as for planning proposals and environmental schemes. The HER is also used by members of the public, consultants, history societies, students, and academics. It is a resource that is available for anyone who is interested in finding out about the archaeology and heritage of East Lothian and Midlothian.

The HER and the Archaeology Service seek to promote an open regime regarding access to information, and make HER information freely available to the public through our website. The Archaeology Service makes every effort to meet its obligations under the following legislation: the Freedom of Information (Scotland) Act 2002, the Environmental Information (Scotland) Regulations 2004, the INSPIRE (Scotland) Regulations 2009, and the access provisions of the General Data Protection Regulation (GDPR) 2018.

Access to HER information

The HER is available online through the John Gray Centre website:

<http://www.johngraycentre.org/> . It can be searched either through the map or by the advanced search. This facility allows you to search the HER at the same time as Archives, Local History, and Museums records for East Lothian.

The HER can also be accessed through PastMap, which provides online access to map-based information about Scotland's historic environment. See: <http://pastmap.org.uk/>

We do not currently have the facilities for members of the public to visit the HER in person, but enquiries by telephone or email are welcome.

Copies of archived reports of archaeological fieldwork, which have been submitted to the HER, can be made available to the public on request, subject to the charges set out below. Users of such supplied reports are reminded that the reports remain the copyright of the author(s) and supply of a copy of a report by the HER does not entitle the user to infringe this copyright.

Please note that the online version of the HER does not contain the full amount of information held in the HER, and is not necessarily up to date. It will not be sufficient on its own to inform the planning process, and commercial contractors should contact the HER directly to obtain the full data for an area.

Charging policy

At the discretion of the Archaeology Service, archaeological information and/or curatorial archaeological advice will be supplied free of charge to students, genuine researchers, and members of the public within reasonable limits. There may be a charge for complex, unusual or onerous enquiries. There may also be a charge for unusual materials, postage and packing for supply of information and photocopies may be charged at the rate below.

The Archaeology Service will impose a charge for the time expended to meet all commercial requests for information and/or curatorial advice. This is intended to reflect the cost of staff time in providing information, advice, assistance, and reports and to recover any reasonable costs for the supply of data (photocopies, photographs, reports etc.).

The data will be supplied in a suitable digital format, usually in the form of a spreadsheet or database with related shapefiles for GIS mapping.

At the discretion of the Archaeology Service, charges may be made for curatorial advice that lies outwith the formal planning procedures. This may include extensive pre-application advice or advice for non-planning developments (i.e. forestry, agri-environmental, permitted development etc).

The charge for staff time in providing information, curatorial advice, or any other assistance, in respect of commercial requests and enquiries will be **£113 (+VAT)** per hour, or part of hour. Please see below for other charges.

Estimates of likely costs for enquiries will be supplied in advance of a query being undertaken.

Charges

Service provided	Cost
Digital HER extract	£113 + VAT / hour
Curatorial advice outside of the formal planning process (i.e. at pre application or non-planning developments)	£113 + VAT / hour
Photocopying charges	B&W: 20p / A4 and 30p / A3 per sheet Colour: 40p / A4 and 50p / A3 per sheet

Guidelines for access to HER information

HER information is only valid, for a given area, for a maximum period of **6 months**. After this period the HER information becomes invalid. Enquirers should be aware that HER enhancement projects are continually adding to the number of already known and recorded archaeological sites.

To comply with Ordnance Survey licence requirements, an end-user licence agreement will be required, signed by both parties.

Although every reasonable effort is made to verify information contained in the HER database, the database is compiled from a variety of often unchecked sources and the information it contains should not be seen as definitive. Therefore, East Lothian Council Archaeology Service does not accept responsibility for the accuracy of any HER information supplied by it and the user of the HER information accepts that, save as regards any matter for which it is not possible in law to exclude or limit liability, East Lothian Council Archaeology Service accepts no liability whether for direct, indirect, consequential or incidental damages or losses arising from the use of HER information.

The whole of the copyright and all other intellectual property rights throughout the world for the whole term of such copyright in the HER information is held by the East Lothian Council Archaeology Service. Dissemination to a third party of the HER Information without

the written consent of the Archaeology Service shall be deemed as a breach of that copyright. HER information supplied to an enquirer shall not be retained after the specific use for which it was requested has finished. Where specific consent under the copyright provisions governing the HER has been obtained for dissemination of HER information to third parties through publications, reports or theses, due acknowledgement of the use of HER information will be given.

Users of HER data will be expected to inform the HER of new sites or of information that comes to light as a result of their research. Copies of, or access to, the completed research should be made available to the HER within **6 months** of completion.

East Lothian Council Archaeology Service
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