

HE 15

Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol

Communities, Equality and Local Government Committee

Bil yr Amgylchedd Hanesyddol (Cymru)/Historic Environment (Wales) Bill

Ymateb gan: Cyd-bwyllgor Polisi Archaeoleg Forwrol

Response from: Joint Nautical Archaeology Policy Committee

1. The Joint Nautical Archaeology Policy Committee (JNAPC) has pleasure in providing evidence to the Communities, Equality and Local Government Committee on the Historic Environment (Wales) Bill

2. The JNAPC was formed in 1988 from individuals and representatives of institutions who wished to raise awareness of the United Kingdom's underwater cultural heritage and to persuade government that underwater sites of historic importance should receive no less protection than those on land. Some information on the JNAPC is shown in appendix 1.

3. The JNAPC has a membership (see appendix 2) that includes most of the governmental, academic, commercial and voluntary organisations concerned with submerged heritage assets in the UK, including the Nautical Archaeology Society, university professionals, various governing bodies for recreational diving, a number of archaeological contractors prominent in the marine sector, the Council for British Archaeology, the Chartered Institute for Archaeologists.

4. JNAPC welcomes the introduction of a Bill which addresses the historic environment in Wales. However, the Bill fails in any meaningful way to engage with the marine historic environment or to address the challenges which it faces (for instance, as regards the regulation of archaeological activity at sea, the protection of marine historic assets from inappropriate exploitation and other harm and the creation and maintenance of marine archives).

5. This Bill may not be the appropriate place to address all of these issues but JNAPC is concerned that, without further steps, the Bill alone does not provide an adequate framework for the management and protection of the marine historic environment.

6. Those further steps include

- the introduction of historic marine protected areas (as in the Marine (Scotland) Act 2010) to address deficiencies in the application of the Ancient Monuments and Archaeological Areas Act 1979 at sea

- the adoption by Welsh Government of the Annex to the UNESCO Convention on the Protection of the Underwater Cultural Heritage 2001 as best practice for any form of activities, or marine licensing of activities, directed at underwater cultural heritage in the Territorial Sea.
- support by Welsh Government for the ratification of the 2001 UNESCO Convention in conjunction with the British Government in order to provide additional protection of marine historic assets in both territorial and international waters.

JNAPC and its members would be happy to assist in the formulation of any further measures for the management and protection of Wales' marine historic environment.

## JOINT NAUTICAL ARCHAEOLOGY POLICY COMMITTEE

### THE JNAPC - PAST, PRESENT AND FUTURE

The JNAPC was formed in 1988 from individuals and representatives of institutions who wished to raise awareness of Britain's underwater cultural heritage and to persuade government that underwater sites of historic importance should receive no less protection than those on land.

The JNAPC launched *Heritage at Sea* in May 1989, which put forward proposals for the better protection of archaeological sites underwater. Recommendations covered improved legislation and better reporting of finds, a proposed inventory of underwater sites, the waiving of fees by the Receiver of Wreck, the encouragement of seabed operators to undertake pre-disturbance surveys, greater responsibility by the Ministry of Defence and the Foreign and Commonwealth Office for their historic wrecks, proper management by government agencies of underwater sites, and the education and the training of sports divers to respect and conserve the underwater historic environment.

Government responded to *Heritage at Sea* in its White Paper *This Common Inheritance* in December 1990 in which it was announced that the Receiver's fees would be waived, the Royal Commission on the Historical Monuments of England would be funded to prepare a Maritime Record of sites, and funding would be made available for the Nautical Archaeology Society to employ a full time training officer to develop its training programmes. Most importantly the responsibility for the administration of the 1973 Protection of Wrecks Act was also transferred from the Department of Transport, where it sat rather uncomfortably, to the then heritage ministry, the Department of the Environment. Subsequently responsibility passed to the Department of National Heritage, which has since become the Department for Culture, Media and Sport.

The aim of the JNAPC has been to raise the profile of nautical archaeology in both government and diving circles and to present a consensus upon which government and other organisations can act. *Heritage at Sea* was followed up by *Still at Sea* in May 1993 which drew attention to outstanding issues, the *Code of Practice for Seabed Developers* was launched in January 1995, and an archaeological leaflet for divers, *Underwater Finds - What to Do*, was published in January 1998 in collaboration with the Sports Diving Associations BSAC, PADI and SAA. The more detailed explanatory brochure, *Underwater Finds - Guidance for Divers*, followed in May 2000 and *Wreck Diving – Don't Get Scuttled*, an educational brochure for divers, was published in October 2000.

The JNAPC continues its campaign for the education of all sea users about the importance of our nautical heritage. The JNAPC will be seeking better funding for nautical archaeology and improved legislation, a subject on which it has published initial proposals for change in *Heritage Law at Sea* in June 2000 and *An Interim Report on The Valletta Convention & Heritage Law at Sea* in 2003. The latter made detailed recommendations for legal and administrative changes to improve protection of the UK's underwater cultural heritage.

The JNAPC played a major role in English Heritage's review of marine archaeological legislation and in DCMS's consultation exercise *Protecting our Marine Historic Environment: Making the System Work Better*, and was represented on the DCMS Salvage Working Group reviewing potential requirements for new legislation. The JNAPC has also been working towards the ratification of the UNESCO Convention on the Protection of the Underwater Cultural heritage 2001 with the preparation of the *Burlington House*

*Declaration*, which was presented to Government in 2006 and the Seminar on the Protection of Underwater Cultural Heritage in International Waters Adjacent to the UK in November 2010.

The JNAPC continues to work for the improved protection of underwater cultural heritage in both territorial and international waters.

## Appendix 2

### Joint Nautical Archaeology Policy Committee

#### Chairman

Robert Yorke

#### Member Organisations

Association of Local Government Archaeological Officers  
British Sub Aqua Club  
Chartered Institute for Archaeologists  
Chartered Institute for Archaeologists, Maritime Affairs Group  
Council for British Archaeology  
Maritime Archaeology Trust  
ICOMOS  
Maritime Archaeology Sea Trust (MAST)  
National Maritime Museum  
National Museums & Galleries of Wales  
Nautical Archaeology Society  
Professional Association of Diving Instructors  
RESCUE  
Sea Change Heritage Consultants  
Shipwreck Heritage Centre  
Society for Nautical Research  
Sub Aqua Association  
United Kingdom Maritime Collections Strategy  
Wessex Archaeology

Robin Daniels  
Jane Maddocks  
Tim Howard  
Graham Scott  
Mike Heyworth  
Garry Momber  
Christopher Dobbs  
Jessica Berry  
Gillian Hutchinson/Nick Ball  
Mark Redknap  
Adrian Olivier  
Suzanne Smith  
Stephen Appleby  
John Gribble  
Peter Marsden  
Ray Sutcliffe  
Stuart Bryan  
Christopher Dobbs  
Euan McNeill

#### Individual members

Sarah Dromgoole  
Antony Firth  
David Parham  
Michael Williams

#### Affiliation

University of Nottingham  
Fjordr Limited  
Bournemouth University  
Plymouth University

#### Observers

Advisory Panel on Historic Wrecks, English Heritage  
Cadw  
The Crown Estate  
Department for Culture, Media and Sport  
Department for Transport  
Historic England  
Department of the Environment (Northern Ireland)  
Foreign and Commonwealth Office  
Historic Scotland  
Maritime and Coastguard Agency, Receiver of Wreck  
Ministry of Defence  
National Trust  
Royal Commission on the Ancient  
and Historical Monuments of Scotland

Tom Hassall  
Polly Groom  
Iain Mills  
Helen Williams/Hannah Jones  
Robert Cousins  
Ian Oxley  
Rory McNeary  
Lowri Griffiths  
Philip Robertson  
Alison Kentuck  
Nick Kelsall  
Ian Barnes  
  
Alex Hale