

## JOINT NAUTICAL ARCHAEOLOGY POLICY COMMITTEE

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Dear Toby,

### **Consultation: The Crown Estate - Offshore Renewables and the Historic Environment**

#### **Response by the Joint Nautical Archaeology Policy Committee**

The JNAPC has pleasure in responding to the consultation upon the draft *Crown Estate Offshore Renewables Protocol for Archaeological Discoveries* and the draft *Round 3 Offshore Renewables Project Model Clauses for Archaeological Written Schemes of Investigation*.

The JNAPC was formed in 1988 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. The Committee represents a very wide interest in maritime archaeology from national societies, museums, archaeological associations to sports diving organisations. Observers are drawn from Government Departments, national heritage agencies, and relevant maritime organisations. Summary information on the JNAPC and its membership is attached in Appendices 1 & 2 below.

#### **General Comments**

JNAPC welcomes:

- the commitment of the Crown Estate to ensure that the marine historic environment is appropriately managed and protected in the course of offshore renewables development
- the Crown Estate's current initiative to produce and implement a recording protocol and model clauses for Round 3 Written Statements of Investigation
- the endorsement of JNAPC's Code of Practice for Seabed Development in *Round 3 Offshore Renewables Project Model Clauses for Archaeological Written Schemes of Investigation*.

Generally both documents are clearly drafted and provide practical advice and guidance. However, JNAPC is concerned to see that the recording protocol is not in any way seen to undermine the basic tenet that impacts on the historic environment should be considered and addressed at the outset (prior to the grant of consent). Pre-consent surveys should provide sufficient detail as regards the historic environment to identify the majority of heritage assets and take appropriate action to avoid or offset harm thereto and it would be helpful to make this clear in the introduction to the protocol.

Individual members of JNAPC will comment upon the detailed provisions of the protocol and model clauses.

We would welcome the opportunity further to participate in the development of the *Protocol for Archaeological Discoveries* and the *Model Clauses for Archaeological Written Schemes of Investigation*.

Yours faithfully

R A Yorke  
Chairman

## Appendix 1

# 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 has 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 with the preparation of the *Burlington House Declaration*, which was presented to Government in 2006.

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**

#### **Members**

##### **Chairman**

Robert Yorke

##### **Organisations**

Association of Local Government Archaeological Officers  
British Sub Aqua Club  
Council for British Archaeology  
EMU Ltd  
Hampshire & Wight Trust for Maritime Archaeology  
Institute of Field Archaeologists, Maritime Affairs Group  
ICOMOS  
National Maritime Museum  
National Museums & Galleries of Wales  
National Trust  
Nautical Archaeology Society  
Professional Association of Diving Instructors  
RESCUE  
Shipwreck Heritage Centre  
Society for Nautical Research  
Sub Aqua Association  
United Kingdom Maritime Collections Strategy  
Wessex Archaeology  
Wildlife and Countryside Link

Paul Gilman  
Jane Maddocks  
Gill Chitty  
John Gribble  
Garry Momber  
Julie Satchell  
Chris Dobbs  
Gillian Hutchinson  
Mark Redknap  
David Thackray  
George Lambrick  
Suzanne Pleydell  
Stephen Appleby  
Peter Marsden  
Ray Sutcliffe  
Stuart Bryan  
Chris Dobbs  
Antony Firth  
Joanna Butler

##### **Individual representation**

Sarah Dromgoole  
Michael Williams

##### **Affiliation**

University of Nottingham  
Wolverhampton University

##### **Observers**

Advisory Committee on Historic Wreck Sites  
Cadw  
Department for Culture, Media and Sport  
Department for Transport  
The Crown Estate  
English Heritage  
Environment Service, Northern Ireland  
Foreign and Commonwealth Office  
Historic Scotland  
Maritime and Coastguard Agency, Receiver of Wreck  
Ministry of Defence  
Ministry of Defence  
Royal Commission on the Ancient  
and Historical Monuments of Scotland

Tom Hassall  
Sian Rees  
Annabel Houghton  
Robert Cousins  
Iain Mills  
Ian Oxley  
Rhonda Robinson  
Richard Koizumi  
Philip Robertson  
Alison Kentuck  
Peter MacDonald  
Bob Stewart

Robert Mowat