

JOINT NAUTICAL ARCHAEOLOGY POLICY COMMITTEE

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Eve Trueman
Department for Culture, Media and Sport
2-4 Cockspur Street
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Dear Ms Trueman

HER Consultation Paper

The Joint Nautical Archaeology Policy Committee welcomes the opportunity to comment on the *HER Consultation Paper*.

The JNAPC was formed over fifteen years ago 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 historical importance should receive no less protection than those on land. Some summary information on the JNAPC and its members is attached below.

Both of the JNAPC's publications, *Heritage Law at Sea* and *The Interim Report on The Valletta Convention & Heritage Law at Sea*, made recommendations concerning Sites and Monuments Records (SMR) the predecessor of the more recent concept of Historic Environment Records (HER). For the purpose of this response all references to SMRS should be applied equally to HERS.

Paragraph 3.5 of *Heritage Law at Sea* made the recommendation that SMRS should be established on a statutory basis. It said:

Problem

The absence of formal support for SMRS could lead to these records being abandoned, even though they play an increasingly vital role in protecting, understanding and promoting underwater cultural heritage.

Solution

Statutory support for local authority SMRS should include their marine component.

Explanation

In its Consultation Document *Protecting Our Heritage* (Department of National Heritage 1996) the Government expressed its intention to establish local authority SMRS on a statutory basis. In seeking to ensure equivalent treatment for marine sites, JNAPC recommends that the statutory duty upon local authorities to maintain SMRS includes sites and monuments on the foreshore and seabed. A commitment should also be made to allocating sufficient resources for local authorities to respond to requests for information and advice. However, a discretionary power should be available to restrict the dissemination of details that might lead to inappropriate pressure on sites.

The Interim Report on The Valletta Convention & Heritage Law at Sea noted that Article 2 of the Valletta Convention requires that signatory States should make provision for the maintenance of an inventory of ‘archaeological heritage’ as defined in Article 1. The JNAPC made the recommendation that Maritime Sites and Monuments Records be established on a statutory basis and that there is a need for the accuracy of Historic Environment Records to be verified in situ. Consideration should also be given to extending the Record to encompass vessels out to the limit of the United Kingdom’s jurisdiction, in waters of United Kingdom dependencies and United Kingdom vessels in international waters.

The JNAPC offers the following comments to specific questions that are particularly relevant to JNAPC.

Q6 The content of HERS could be improved by the inclusion of maritime records for both coastal and underwater sites out to the territorial limit. This information should also transfer to the Maritime Record of English Heritage.

Q10 Service could be improved by the provision of adequate financial resource.

Q16 The way that the Government can help the sustainable development of HERS is to give them statutory status.

Q19 Funding should come from all the Government departments that either benefit now, or will benefit in future, from the services provided by HERS. This would include DCMS, ODPM, DEFRA, DfES, DfT. From a marine perspective, all Government departments involved with the current system of sectoral seabed consents including Crown Estate, owner of the seabed, should contribute funding to HERS.

We would be pleased to respond to any further questions or issues if you felt that was appropriate.

Yours sincerely

R A Yorke
Chairman

JOINT NAUTICAL ARCHAEOLOGY POLICY COMMITTEE

THE JNAPC - PAST, PRESENT AND FUTURE

The JNAPC was formed over fifteen years ago from individuals and representatives of institutions who wished to raise awareness of Britain's underwater heritage and to persuade government that underwater sites of historical 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 to 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 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. JNAPC published its proposals for legal change in *Heritage Law at Sea* in June 2000 and its *Interim report on the Valletta Convention* in 2003. JNAPC has been working with English Heritage and DCMS on the forthcoming consultation paper on protecting the marine historic environment.

Members of the Joint Nautical Archaeology Policy Committee

Chairman

Robert Yorke

Organisations

Association of Local Government Archaeological Officers
 British Sub-Aqua Club
 Council for British Archaeology
 Hampshire & Wight Trust for Maritime Archaeology
 Institute of Field Archaeologists
 ICOMOS
 National Maritime Museum
 National Museum & Galleries of Wales
 National Trust
 Nautical Archaeology Society
 Nautical Archaeology Society / Training
 Professional Association of Diving Instructors
 Shipwreck Heritage Centre
 Society for Nautical Research
 Sub-Aqua Association
 UK Institute for Conservation
 Wessex Archaeology

Paul Gilman
 Jane Maddocks
 George Lambrick, Alex Hunt
 Garry Momber
 David Parham
 Christopher Dobbs
 Gillian Hutchison
 Mark Redknap
 Rob Woodside
 Lucy Blue
 Chris Underwood
 Suzanne Pleydell
 Peter Marsden
 Alan Aberg
 Stuart Bryan
 Amanda Sutherland
 Antony Firth

Individual representation

Sarah Dromgoole
 Valerie Fenwick
 David Tomalin

Michael Williams

Affiliations

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 previously CBA
 previously County Archaeologist,
 Isle of Wight
 University of Wolverhampton

Observers

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 English Heritage
 English Heritage
 Environment Service, Northern Ireland
 Historic Scotland
 Maritime and Coastguard Agency, Receiver of Wreck
 Ministry of Defence
 Royal Commission on the Ancient and Historical
 Monuments of Scotland

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 Ian Oxley
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 Brian Williams
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 Sophia Exelby
 Peter MacDonald
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