

JOINT NAUTICAL ARCHAEOLOGY POLICY COMMITTEE

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Marine Management Organisation
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Dear Sir

Dover Harbour Board - Marine Licence Application MLA/2016/00227 Goodwin Sands Aggregate Dredging Scheme

The Joint Nautical Archaeology Policy Committee (JNAPC) has pleasure in responding to the Marine Management Organisation (MMO) consultation on licence application MLA/2016/00227.

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.

The JNAPC has a membership (see Appendix 2) that includes most of the governmental, academic, commercial and voluntary organisations concerned with submerged heritage assets, 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. Whilst Wessex Archaeology is a member of the JNAPC it has absented itself from this consultation as it has previously worked as a contractor for Dover Harbour Board on this project.”

The JNAPC recommends that the MMO does not issue a marine licence to the Dover Harbour Board to dredge aggregates from the Goodwin Sands.

We would like to draw your attention to extracts from the Impact Assessment carried out by Royal HaskoningDHV on behalf of the Applicant. These are shown in italics with our comments added:

1 The potential for archaeological discoveries

6.1.2 [Seabed Prehistory] Potential

*The feature seen in data by Wessex Archaeology (2015) is interpreted as a fluvial palaeochannel similar to those described above and could date from a range of periods between the Cromerian and the Early Holocene. **As such, the sediments could contain both in situ and derived anthropogenic artefacts and preserved paleoenvironmental material.***

6.2.2 [Maritime] Potential

*“Goodwin Sands represents a major hazard to marine navigation and, as such, has perhaps the highest density of recorded shipping losses in the UK (Wessex Archaeology, 2014). Many of the most important trade routes of northern Europe pass close to Goodwin Sands, which are located offshore of the Downs, formerly one of the most important commercial and naval anchorages off the English Coast. It has been estimated that over 800 shipwrecks have been documented on Goodwin Sands (Cant, 2013). This coupled with the difficulties of marking the position of wrecks, and consequently identifying and monitoring archaeological sites, means that the **potential for the presence of previously unrecorded wrecks on Goodwin Sands is very high.**”*

6.2.3 [Aviation] Potential

*“**There is high potential for the remains of crashed aircraft on Goodwin Sands**.....Despite the low number of documented losses from the study area, **the potential for aircraft remains to be present should be considered to be high.** The locations of many of the aircraft losses may not have been recorded accurately, particularly during wartime, while many others have been lost without record. As for maritime remains (Section 6.2.2), geophysical survey, the geomorphology of the proposed dredging area and historic dredging activities suggest that, while the survival of intact aircraft within the study area is possible, discoveries of disarticulated aircraft remains are more likely to occur.”*

6.1.3 Value of Archaeological Receptors

*“Discoveries of in situ archaeological and paleoenvironmental material are rare within the marine environment. Consequently any such discoveries will be of **high** value.”*

It is well accepted that Goodwin Sands is one of the most important marine archaeological areas around England. With its wealth of known and potential heritage assets it has been suggested in some circles that it should be considered in future as an area of marine archaeological conservation. The Impact Report itself admits that there is a very high chance of finding nationally important historical and archaeological material in the proposed dredging area.

2 The impact of dredging

4.3 “Impacts which results in damage or destruction of the heritage assets themselves, or their relationship with their wider environment and context, are permanent. Once destroyed a heritage asset cannot recover.”

The Impact Report recognises that damage to heritage assets is irreversible and a permanent loss to mankind. The first indication of finding an unknown historic wreck, aircraft or prehistoric remains will be after it has been destroyed by the dredge head and appears in broken pieces on board the ship. Then it is too late and the damage will have been done.

3 Mitigation

The document recognises that the potential of finding previously unidentified archaeological material is high and in this instance JNAPC's view is that simply having a watching brief is insufficient mitigation. The presence of archaeological observers on board dredging vessels, whilst welcomed, will not mitigate the potential loss of fragile archaeological material such as wooden shipwreck or aircraft, as discussed in 2 above, because they will only see the damage or destruction once it has occurred.

4 Conservation, curation and storage

Any discovery of nationally important artefacts would impose an immediate and potentially expensive open-ended requirement for conservation, curation and storage which could cause problems in a sector already operating at near full capacity.

5 Conclusion

As recognised by the Applicant's own Impact Review, there is a very high risk of uncovering and permanently damaging maritime heritage sites of national importance, and the mitigation measures that have been proposed would not prevent this. The application for a marine licence should therefore be refused.

We would welcome the opportunity to answer any questions that may arise from our response to this consultation.

Yours sincerely

R A Yorke
Chairman

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 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 (DCMS).

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 (now Historic England) 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.

In 2013 the JNAPC was officially accredited as an NGO to the Scientific and Technical Advisory Board and to the Meeting of States Parties of the 2001 UNESCO Convention.

The JNAPC continues to advocate the improved protection of underwater cultural heritage in both territorial and international waters and is working to persuade the UK Government to ratify the 2001 UNESCO Convention.

Joint Nautical Archaeology Policy Committee**Chairman**

Robert Yorke

Member Organisations

Association of Local Government Archaeological Officers
 British Sub Aqua Club
 Chartered Institute for Archaeologists
 Cotswold Archaeology
 Council for British Archaeology
 Maritime Archaeology Trust
 Mary Rose Trust
 Institute for Archaeologists, Maritime Affairs Group
 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 Museum, Hastings
 Society for Nautical Research
 Sub Aqua Association
 United Kingdom Maritime Collections Strategy & ICOMOS
 Wessex Archaeology

Robin Daniels
 Jane Maddocks
 Tim Howard
 Michael Walsh
 Mike Heyworth
 Garry Momber
 Christopher Dobbs
 Toby Gane
 Jessica Berry
 Nick Ball
 Mark Redknap
 Adrian Olivier
 Suzanne Smith
 Stephen Appleby
 John Gribble
 Peter Marsden
 Alistair Roach
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 Christopher Dobbs
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 Fjordr Limited
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 Maritime Heritage Trust
 Plymouth University

Observers

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