

Maritime **Archaeology** in Development

Guide 19



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Maritime Archaeology

Developers, Port Authorities and others proposing to dredge or undertake development work at sea or in tidal waters around the UK should pay regard to the need to safeguard the marine historic environment, including both existing and potential archaeological interests in or under the seabed, and should seek professional archaeological advice at the earliest opportunity.



Photo by Bruce Biddulph 2000

English Heritage Responsibility

The National Heritage Act (2002) enabled English Heritage to assume responsibilities for maritime archaeology in English coastal waters, modifying the agency's functions to include securing the preservation of ancient monuments in, on, or under the seabed, and promoting the public's enjoyment of, and advancing their knowledge of ancient monuments both on and within the seabed.



The Act amended the definition of 'ancient monuments' in the National Heritage Act 1983 and the Ancient Monuments and Archaeological Areas Act 1979 to include sites in, on or under the seabed (including those comprising the remains of vehicles, vessels, aircraft or moveable structures) within the seaward limits of the UK territorial waters adjacent to England.

Ownership

The Crown Estate owns approximately half of the beds of estuarial areas and tidal rivers in the UK. It also owns the majority of the seabed out to the 12 nm territorial limit, including the rights to explore and exploit the natural resources of the UK continental shelf (excluding hydrocarbons, i.e. oil, gas and coal).

Consent

The Marine Consents and Environment Unit (MCEU at www.MCEU.gov.uk) administers a range of statutory controls that apply to marine works, including all construction, coastal defences, dredging and the disposal of waste materials at sea in waters around England and Wales (for which responsibility is vested in the Secretary of State for Environment, Food and Rural Affairs and the National Assembly for Wales).



Approval to works in relation to marine archaeological sites within English territorial waters may be required from English Heritage under the National Heritage Act 1983 (as amended by the 2002 Act) or CADW in Welsh waters. Certain wrecks and other remains may also be protected under the Protection of Wrecks Act 1973 or the Protection of Military Remains Act 1986 (administered by the Ministry of Defence).



(Photo: Dr. Elliott Norse, MCBI)

Depending upon the location of the proposed investigations, consents may also be required from other bodies, including the Environment Agency (should the works be liable to affect land drainage or coastal defences), the local authority (for works on the seabed within planning jurisdiction) and Sea Fisheries Committees (where works may adversely affect fishing grounds or designated shellfish beds).

Consents for the majority of development work will require some form of marine archaeological assessment to be undertaken and may involve subsequent work to mitigate against the impacts of the proposed development on the marine historic environment. Consequently, the early involvement of an archaeological consultant or contractor to identify and then undertake appropriate assessment and highlight potential mitigation requirements at an early stage of development proposals is often a cost-effective strategy.

Further Information

For further information and advice on maritime archaeology, visit www.english-heritage.org.uk/maritime.