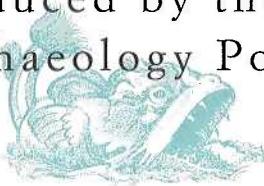




CODE of PRACTICE for SEABED DEVELOPERS

Produced by the
Joint Nautical Archaeology Policy Committee





Foreword

**By the Viscount Astor
Under Secretary of State
Department of National Heritage**

The publication of the Code of Practice for Seabed Developers is very welcome. It will help to raise awareness of the need to consider archaeology along with other environmental factors in advance of development.

In addition, the guidance provided should encourage constructive dialogue between interested parties. The Joint Nautical Archaeology Policy Committee and all those who contributed to the formulation of the Code should be congratulated.

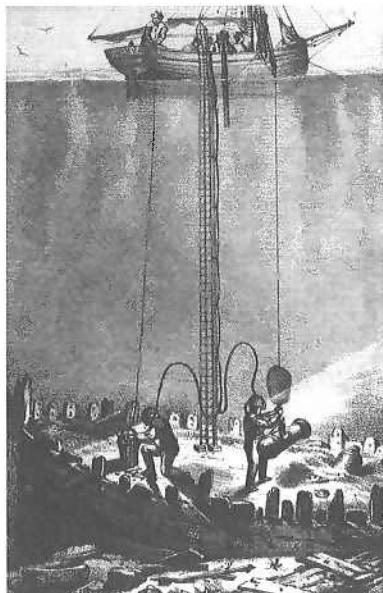
I hope that it will be widely used.

William Astor



Introduction

Recommended Procedures for Consultation and Co-operation



This Code sets out recommended procedures for consultation and co-operation between seabed developers and archaeologists. While the general principles can be applied throughout the UK, specific arrangements for consultation may vary between England, Northern Ireland, Scotland and Wales. The recommendations represent current best practice and they will be reviewed in the light of future policy developments.

The sea and seabed have been used by man for thousands of years and today they support a multitude of commercial and leisure uses. However, the diverse uses do not always work in the interests of conservation. This Code is concerned with the underwater archaeological and historical resource. Its purpose is to provide a framework within which the concerns for the maritime archaeological heritage and the interests of other sea users can be reconciled.

The Government's policy on archaeology is stated in Planning Policy Guidance Note 16 "Archaeology and Planning":

"Archaeological remains should be seen as a finite and non-renewable resource, in many cases highly fragile and vulnerable to damage and destruction. Appropriate management is therefore essential to ensure that they survive in good condition. In particular, care must be taken to ensure that archaeological remains are not needlessly or thoughtlessly destroyed. They can contain irreplaceable information about our past and the potential for an increase in future knowledge. They are part of our sense of national identity and are valuable both for their own sake and for their role in education, leisure and tourism"

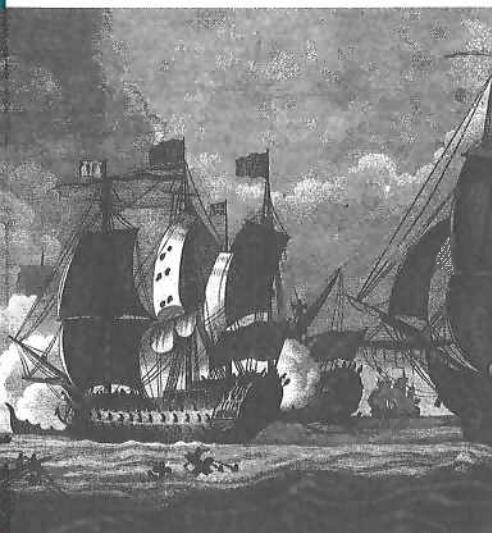
The same principles apply throughout the UK.

Maritime archaeological sites are equally valuable. There has been a growing awareness in recent years of underwater archaeological sites and discoveries. These include ancient craft, historic wrecks, drowned settlements and harbours.

The Code's objective is to encourage commercial seabed developers to seek advice on the possible maritime archaeological potential of their proposed development at the earliest opportunity. The involvement of archaeologists during the planning stages of a development will allow the archaeological implications to be considered in line with the overall assessment of the development's environmental impact. Consideration of archaeology under water should be an integral element of environmental assessment.

The Code can assist in the tailoring of specific agreements to suit individual situations. Its adoption should open up a non-statutory channel of communication between seabed developers and maritime archaeologists. An early understanding of the maritime archaeological resource will be beneficial to all parties.

For the purposes of this Code, the "seabed" is defined as the area below mean low water. "Development" is defined as "activities directed to the construction, alteration or renewal of any works in or under the seabed and the excavation, removal, movement or deposit of materials, substances or articles in the sea or under the seabed."



The JNAPC Code of Practice for Seabed Developers

The following undertaking has been made by the British Marine Aggregates Producers Association:

Companies carrying out operations on the seabed who are members of the British Marine Aggregates Producers Association will co-operate with the Joint Nautical Archaeology Policy Committee in the pursuit of aims to preserve archaeological remains.

In the case of a company seeking a licence for seabed mineral extraction, it is normal for the company to carry out a seismic and a bathymetric survey of the area as a first priority and before any other activity takes place. Companies who are members of the British Marine Aggregates Producers Association will be glad to make relevant details of such surveys available to an archaeologist or a body proposed by the Joint Nautical Archaeology Policy Committee, provided that they undertake to guarantee complete commercial confidentiality of the information supplied. When possible, companies will invite an archaeologist to witness the surveys and also to witness a dredging operation.

1 Seabed developers acknowledge the potential scientific value of archaeological evidence on, or concealed within, the seabed and will make every effort to report, promptly, unexpected discoveries encountered.

2

The practice of developers making provision for archaeological survey and investigation in advance of development on land is supported by Government, the CBI and local authorities. Seabed developers should therefore take account of the need for co-operation to record and assess the nation's maritime heritage.

3

At the earliest opportunity the developer should seek informed archaeological advice to establish whether potential development programmes would be likely to affect a site of archaeological interest. Normally, the developer will consult appropriate archaeological bodies (see list enclosed).

4

The above bodies will make available to the developer information contained within the appropriate National Monuments Record and the coastal section of the Sites and Monuments Record maintained by the appropriate local authority or equivalent. This will enable the developer and the licensing authority to give due consideration to Government's desire to see archaeological sites physically preserved or recorded.

5

Where such consultation or the developer's own research indicate that important archaeological remains may exist, the developer may make provision for the carrying out by appropriately qualified archaeologists of an underwater survey of the area. The survey will be designed to ascertain the archaeological potential before development commences and what action should be taken to preserve any important archaeological remains located.

The JNAPC Code of Practice for Seabed Developers



6

Consideration will be given to the physical preservation of important archaeological remains in line with the Government's archaeological policies. Where development is unavoidable because of economic or social needs and physical preservation is not possible, archaeological survey and investigation may be an acceptable alternative. Such work will include the establishment of a site archive and the publication of the results of the investigation and survey according to the recommendations in "The Management of Archaeological Projects" published in 1991 by English Heritage or an equivalent standard.

7

Seabed developers and archaeologists will recognise the laws relating to sites, including the Protection of Wrecks Act 1973, and the issues of reporting and ownership of finds under the Merchant Shipping Act 1894.

8

In co-operation with the Receiver of Wreck, seabed developers will ensure that archaeologists may, for the purposes of study and analysis, retain artefacts and records for a reasonable time. Seabed developers will also recognise the desirability of depositing all artefacts and records in an appropriate museum as a complete permanent archive for future study. Copies of all site records should be sent to the relevant local authority Sites and Monuments Record or equivalent and to the appropriate National Monuments Record.

9

The archaeologists will be conscious of the potential public relations benefits to developers of publicising their work, and that in any publicity, financial or other support from the developer should be recognised in a manner agreed by the developer.

10

The developer will present to the licensing authority a copy of the advice provided by archaeological bodies consulted along with his own proposals for accommodating any archaeological constraints which have been identified.

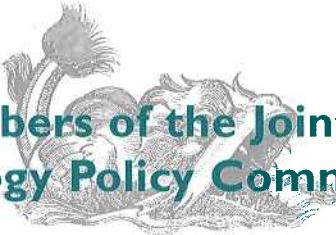
Relevant Legislation

Protection of Wrecks Act, 1973

Ancient Monuments and Archaeological Areas Act, 1979

Merchant Shipping Act 1894, part IX

Protection of Military Remains Act, 1986



The Members of the Joint Nautical Archaeology Policy Committee are:

Archaeological Diving Unit (observer), Association of County Archaeological Officers, Council for British Archaeology, Department of the Environment for Northern Ireland (observer), English Heritage (observer), Hampshire and Wight Trust for Maritime Archaeology, Maritime Affairs Group of the Institute of Field Archaeologists, Royal Commission on the Historical Monuments of England (observer), National Maritime Museum, National Museum of Wales, National Trust, Nautical Archaeology Society, Scottish Trust for Underwater Archaeology, Society for Nautical Research.

The members of the JNAPC are grateful to the following for their help in preparing this Code:

Association of District Archaeologists, British Ports Association, British Marine Aggregates Producers Association, British Telecommunications Plc, CADW, Confederation of British Industry, Countryside Commission, Countryside Council for Wales, The Crown Estate, Department of the Environment (Minerals Division), Department of National Heritage, English Nature, Heritage Coast Forum, Historic Scotland, Marine Conservation Society, Ministry of Agriculture, Fisheries and Food, National Federation of Fishermen's Organisations, National Rivers Authority, Port of London Authority, Royal Commission on the Ancient and Historical Monuments of Scotland, Royal Commission on the Ancient and Historical Monuments of Wales, Salvage Association, Scottish Natural Heritage, UK Offshore Operators Association, UK Petroleum Industries Association.

Published January 1995.

Further copies available from the National Monuments Record (Maritime) Royal Commission on the Historical Monuments of England, National Monuments Record Centre, Kemble Drive, Swindon SN2 2GZ. Telephone: 0793 414600.



Designed by Chris Laver.

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The production of this leaflet has been sponsored by



SOURCES OF ADVICE

These bodies are able to provide objective advice on the known and perceived archaeological potential of the seabed:

Addresses are correct at date of publication.

NATIONAL BODIES

Department of National Heritage

2-4 Cockspur Street
London, SW1Y 5DH
Tel: 071 211 6367

Archaeological Diving Unit

University of St Andrews
St Andrews
Fife, KY16 9AJ
Tel: 0334 462919

ENGLAND

English Heritage

23 Savile Row
London, W1X 2HE
Tel: 071 9733000

National Monuments Record (Maritime)

Royal Commission on the Historical Monuments of England
National Monuments Record Centre
Kemble Drive
Swindon, SN2 2GZ
Tel: 0793 414600

NORTHERN IRELAND

Environment Service; Historic Monuments and Buildings

Department of the Environment
for Northern Ireland
5-33 Hill Street
Belfast, BT1 2
Tel: 0232 235000

SCOTLAND

Historic Scotland

Longmore House
Salisbury Place
Edinburgh
SCOTLAND
Tel: 031 244 3123

National Monuments Record

Royal Commission on the Ancient and Historical Monuments of Scotland
John Sinclair House
16 Bernard Terrace
Edinburgh, EH8 9NX
SCOTLAND
Tel: 031 662 1456

WALES

Cadw

Welsh Historic Monuments
Brunel House
2 Fitzalan Road
Cardiff, CF2 1VY
Wales
Tel: 222 465511

National Monuments Record

Royal Commission on Ancient and Historic Monuments of Wales
Government Building
Plas Crug
Aberystwyth
Dyfed, SY23 1NJ
Wales
Tel: 0970 621200

LOCAL ARCHAEOLOGICAL BODIES

ENGLAND

Avon

Archaeological Officer
Planning Dept.
P.O. Box 46
Middlegate
Whitefriars
Lewins Mead
Bristol
BS99 7EU
Tel: 0272 226528

Cheshire

Principal Conservation Officer (Archaeology)
Environmental Planning Service
Cheshire County Council
Commerce House
Hunter Street
Chester
Cheshire
CH1 2QP
Tel: 0244 603160

Cleveland

County Archaeologist
P.O. Box 41
Southlands Centre
Ormesby Road
Middlesborough
Cleveland
TS3 0YZ
Tel: 0642 327583

Cornwall

Archaeology Unit
Room 4
Old County Hall
Station Road
Truro
Cornwall
TR1 3AY
Tel: 0872 74282

Cumbria

County Archaeologist
County Planning Dept.
County Offices
Stricklandgate
Kendal
Cumbria
LA9 4RQ
Tel: 0539 721000

Devon

County Archaeologist
Environment Dept.
Countryside and Heritage Division
Devon County Council
Luckham House
County Hall
Exeter
Devon
EX2 4QQ
Tel: 0392 272266

Dorset

Archaeological Officer
Planning Dept.
Dorset County Council
Colliton Park
Colliton Annex
County Hall
Dorchester
Dorset
DT1 1XJ
Tel: 0305 251000

Durham

Archaeological Officer
The Bowes Museum
Barnard Castle
Co Durham
DL12 8NP
Tel: 0833 690107

East Sussex

Archaeological Adviser
Planning Dept.
Southover House
Southover Road
Lewes
East Sussex
BN7 1YA
Tel: 0273 481608

Essex

County Archaeologist
Archaeology Section
Planning Dept.
Essex County Council
County Hall
Chelmsford
Essex
CM1 1LF
Tel: 0245 492211

Hants

County Archaeologist
County Planning Dept.
Hampshire County Council
The Castle
Winchester
Hants
SO23 8UE
Tel: 0962 846735

Humberside

County Archaeologist
Estate and Property Management Dept.
Humberside County Council
County Hall
Beverley
Humberside
HU17 9BA
Tel: 0482 868770

Isle of Wight

County Archaeological Officer
County Archaeological Centre
61 Clatterford Road
Carrisbrooke
Isle of Wight
PO30 1NZ
Tel: 0983 529963

Kent

Group Manager of Heritage Conservation
Planning Dept.
Kent County Council
Springfield
Maidstone
Kent
ME14 2LX
Tel: 0622 696055

Lancs
County Archaeologist
Lancashire Records Office
Bow Lane
Preston
Lancs
PRI 8ND
Tel: 0772 263032

Lincs
SMR Officer
12 Friars Lane
Lincoln
LN2 5AL
Tel: 0522 575292

Merseyside
Archaeological Unit
Liverpool Museum
William Brown Street
Liverpool
L3 8EN
Tel: 051 2070001

Norfolk
Field Archaeology Division
Union House
Gressenhall
Dereham
Norfolk
NR20 4DR
Tel: 0362 860528

Northumberland
County Archaeologist
Archaeology Section
Northumberland County Council
Dept. of Planning &
Economic Development
County Hall
Longdean
Morpeth
Northumberland
NE61 2EF
Tel: 0670 511156

North Yorkshire
County Archaeologist
Planning Dept.
North Yorkshire County Council
County Hall
Northallerton
North Yorkshire
DL7 8AQ
Tel: 0609 780780

Suffolk
County Archaeologist
Planning Dept.
Suffolk County Council
St Edmunds House
County Hall
Rope Walk
Ipswich
Suffolk
IP4 1LZ
Tel: 0473 265202

Tyne & Wear
County Archaeologist
Planning Dept.
Newcastle City Council
Civic Centre
Barras Bridge
Newcastle upon Tyne
NE1 8PH
Tel: 091 2328520

West Sussex
County Archaeologist
County Planning Dept.
County Hall
Tower Street
Chichester
West Sussex
PO19 1RQ
Tel: 0243 752058

SCOTLAND

Borders
Regional Archaeologist
Dept. of Physical Planning
Borders Regional Council
Newton St Boswells
Roxburghshire
TD6 0SA
Tel: 0835 23301

Dumfries and Galloway
Regional Archaeologist
Dept. of Physical Planning
Area Sub-office
Dumfries and Galloway
Regional Council
4 Market Street
Castle Douglas
DG7 7BE
Tel: 0556 502351

Fife
Regional Archaeologist
Dept. of Economic
Development & Planning
Fife Regional Council
North Street
Glenrothes
KY7 5LT
Tel: 0592 754411

Grampian
Regional Archaeologist
Economic Development
& Planning Dept.
Grampian Regional Council
Woodhill House
Westburn Road
Aberdeen
AB9 2LU
Tel: 0224 682222

Highland
Regional Archaeologist
Highland Archaeological Service
Old School
High Street
Clachnaharry
Inverness
IV3 6RB
Tel: 0463 703669

Shetland
Island Archaeologist
Regional Archaeologist
Shetland Amenity Trust
22-24 North Road
Lerwick
Shetland
ZE1 0NQ
Tel: 0595 4688

Strathclyde
Regional Archaeologist
Dept. of Physical Planning
Strathclyde Regional Council
Strathclyde House
20 India Street
Glasgow
G2 4PF
Tel: 041 227 3669

Orkney
Orkney Archaeologist
Orkney Heritage Society
The Janitors House
Old Academy Buildings
Stromness
Orkney
Tel: 0856 850285

Central
Regional Archaeologist
Development & Planning Dept.
Central Regional Council
Viewforth
Stirling
FK8 2ET
Tel: 0786 473111

WALES

Clwyd
Principal Archaeologist
Tourism & Leisure Dept.
The Shire Hall
Mold
Clwyd
CH7 6NB
Tel: 0352 702745

Dyfed
The Director
Dyfed Archaeological Trust Ltd.
The Shire Hall
Carmarthen Street
Llandeilo
Dyfed
SA19 6AF
Tel: 0558 823131

Glamorgan Gwent
The Director
Glamorgan Gwent
Archaeological Trust Ltd.
Ferryside Warehouse
Bath Lane
Swansea
SA1 1RD
West Glamorgan
Tel: 0792 655208

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The Director
Gwynedd Archaeological Trust Ltd.
Garth Road
Bangor
Gwynedd
LL57 2SE
Tel: 0248 352535

Clwyd/Powys
The Director
Clwyd Powys Archaeological Trust
7a Church Street
Welshpool
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SY21 7DL
Tel: 0938 553670