



# Heritage Partnership Agreements for Undesignated (Marine) Sites: A Pilot Study

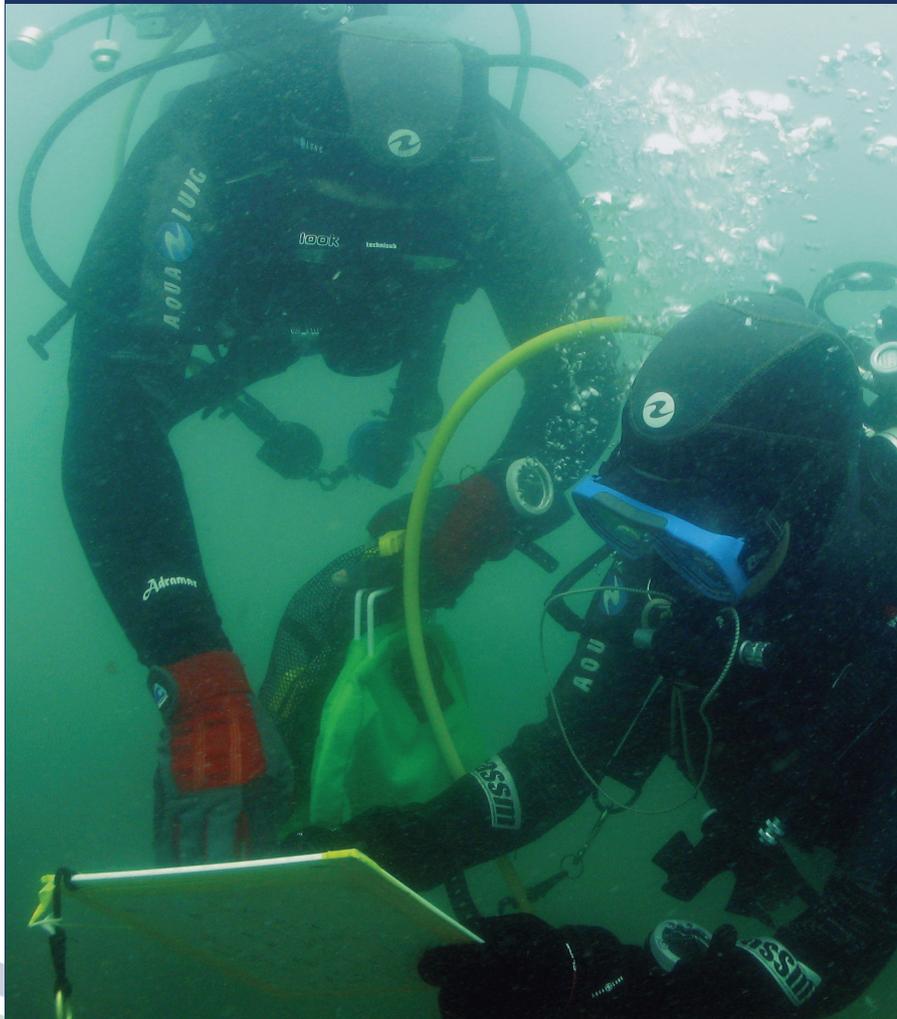
*Final Project Report*

*EH Project 6414*



ENGLISH HERITAGE

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**2015**



# Heritage Partnership Agreements for Undesignated (Marine) Sites: A Pilot Study

*Final Project Report*

*EH Project 6414*



Prepared by

**The Maritime Archaeology Trust**  
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On behalf of

**English Heritage**

**February 2015**

[www.maritimearchaeologytrust.org](http://www.maritimearchaeologytrust.org)

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All opinions expressed in this report, and across the duration of the project, are those of the MAT project team and are not necessarily representative of English Heritage views on the same matters.

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## **Summary**

This report represents the final reporting stage of a three year project undertaken by the Maritime Archaeology Trust on behalf of English Heritage to develop and test the application of Heritage Partnership Agreements (HPAs) to undesignated sites in the marine zone of England. HPAs are currently used on designated terrestrial heritage assets, primarily listed buildings. It is hoped that extending a similar scheme to the marine zone will act as a means to more proactively manage a wide range of maritime sites that are currently outside existing statutory management processes. In addition to this, it is possible to envisage an increase in meaningful public engagement with underwater cultural heritage in England.

The project has been undertaken over a number of stages. These have reviewed existing related schemes, guidance and legislation to develop a draft methodology for HPAs in the marine zone. That methodology was then disseminated to a range of stakeholders in the Solent region from whom useful feedback was gathered. That feedback, along with ongoing discussion with EH was used to refine the methodology and lead to a period of further development and practical testing. All of these stages are covered in this report, which finishes with a broader discussion and a number of key recommendations that may be taken forward to the wider application of any future HPA project. The main points can be summarised as follows:

- Suitability and Usefulness:
  - That a programme of HPAs for undesignated sites is implemented on range of maritime archaeological site types within England's territorial waters.
- Site Selection:
  - The majority of marine HPA sites should be centrally chosen as a means to meet strategic management objectives.
  - Such selection should be supplemented, as required, through sites suggested by the public.
  - All potential sites should be assessed for their significance and those that are considered to be of medium significance or higher should be eligible for inclusion in the HPA programme.
- Site Protection:
  - HPA sites should be considered as suitable candidates for statutory protection following an assessment of their significance during the site selection process.
  - Any resulting decision should be founded on the evidence base compiled during subsequent HPA work by the heritage partner.
  - Sites which are deemed significant enough to afford statutory protection should be scheduled under the AMAAA in order to recognise the significance of the heritage asset, while maintaining public access.
- Incentivisation:
  - It is appropriate that there should be some form of financial or 'in-kind' incentive that is offered as a means to encourage stakeholder engagement with HPAs, help ensure their success, and to recognise stakeholder investment.
  - Due to the potential for the provision of funding in relation to diving activities to raise questions over liability, consultation with the Health and Safety Executive should be undertaken.
- Management:
  - HPAs should be uniformly managed by a single party to ensure continuity in day-to-day management, collation of data and archiving of data.
  - Future public access to all data collected through HPAs should be made available through an open-access digital means.
  - HPA stakeholders should be offered assistance to disseminate their work in the fullest possible way.

## **1 Introduction**

In 2011 the Maritime Archaeology Trust (MAT) was commissioned by English Heritage (EH) to provide a practical approach to the implementation of Heritage Partnership Agreements (HPAs) on undesignated marine sites. Partnership agreements are seen as a generic term for any form of non-statutory management agreement between the owner of a heritage asset, or group of assets, and the statutory authorities (see English Heritage, 2011a). Wider research into the benefits of HPAs has already been undertaken and includes a recommendation for the introduction of statutory management agreements (see DCMS and EH, 2005). Importantly, the National Heritage Protection Plan directly addresses HPA and model management plans (English Heritage, 2011b: 31-32). However, there is a gap in the understanding of how HPAs work in practice especially in the marine environment. By seeking to develop methodologies for HPAs for undesignated sites in the marine zone, the current project is directly addressing national priorities while filling a gap in our present understanding regarding site management. In the longer-term, the project will contribute to developing a more streamlined management of marine sites that are not being protected and/or managed under the current system (see English Heritage, 2011a: 6).

Since its inception in 2012 this project has undergone several stages, each of which has built upon the findings and outcomes of the previous stage (Figure 1). Stage 1 entailed investigation into the background context and application of HPAs to the marine environment alongside a review of comparable schemes currently in operation in other areas of the natural and historic environment. The outcome was the development of a draft methodology that could be applied to five pilot sites located within the Solent region that were selected by English Heritage for the project. Stage 1 findings were communicated to EH via an interim project report (see HWTMA, 2012) and the results are summarised in Section 3 of this report.

Following consultation and feedback from English Heritage a revised draft methodology was developed and disseminated to a number of stakeholders for consultation and feedback, both formal and informal during Stage 2 of the project. That process allowed a further series of conclusions to be reached regarding the practicalities of implementation. It also served to clarify a number of key issues relating to site selection and management. The outcome of Stage 2 was the drafting of a model HPA document for each of the five pilot sites. Stage 2 findings were communicated to EH via a second interim project report (see HWTMA, 2013) and the results are summarised in Section 4 of this report.

The resulting draft HPAs, in conjunction with an appropriately selected methodology was then tested from a practical basis in Stage 3 of the project. This allowed quantitative and qualitative observations to be made about the suitability of the draft methodology and the type and extent of data that might be generated as a result of an individual HPA. Additionally, it was also possible to assess some of the longer term requirements from the perspective of any potential application of a country-wide HPA programme in relation to management, archiving, public access and dissemination. That stage of the project has been undertaken since the submission of the original two interim reports and so is reported in full in Section 5.

Following this, Section 6 sets out to discuss the results and findings of the entire project. In general this identifies that the application of HPAs to the marine historic environment can be positive, proactive and constructive in engaging a potentially large cross-section of the public in the investigation and management of their maritime heritage. However, it also sets out a number of recommendations that should be implemented as part of any wider application of HPAs in the marine historic environment. These relate primarily to the mechanisms behind the selection of sites, provision for the statutory protection of sites, the suitability of a financial incentive for heritage partners and the longer-term management provision for such agreements.

## 2 Project Aims and Objectives

The main aim of the project was:

- To develop the management of undesignated marine heritage assets through the development and delivery of HPA methodology and to produce Guidance Notes for their implementation.

The general aim stated was achieved through five main components that are considered as the objectives of the project:

- Review process.
- Develop methodologies for applying HPA principles to marine sites.
- Set up and test HPA methodologies for five case studies.
- Dissemination.
- Reporting.

The Project Design also noted that 'ongoing communication will be maintained with English Heritage throughout the whole project to ensure that the development of HPA methodologies for undesignated marine sites is fit for purpose'. As a result of such consultation and discussion with English Heritage the requirement to produce a set of guidance notes for the implementation of HPAs for the marine historic environment has been replaced by the recommendations contained within Section 6 of this report. The constructive effect of consultation in conjunction with the reliance of each stage of the project on the previous one is illustrated in Figure 1.

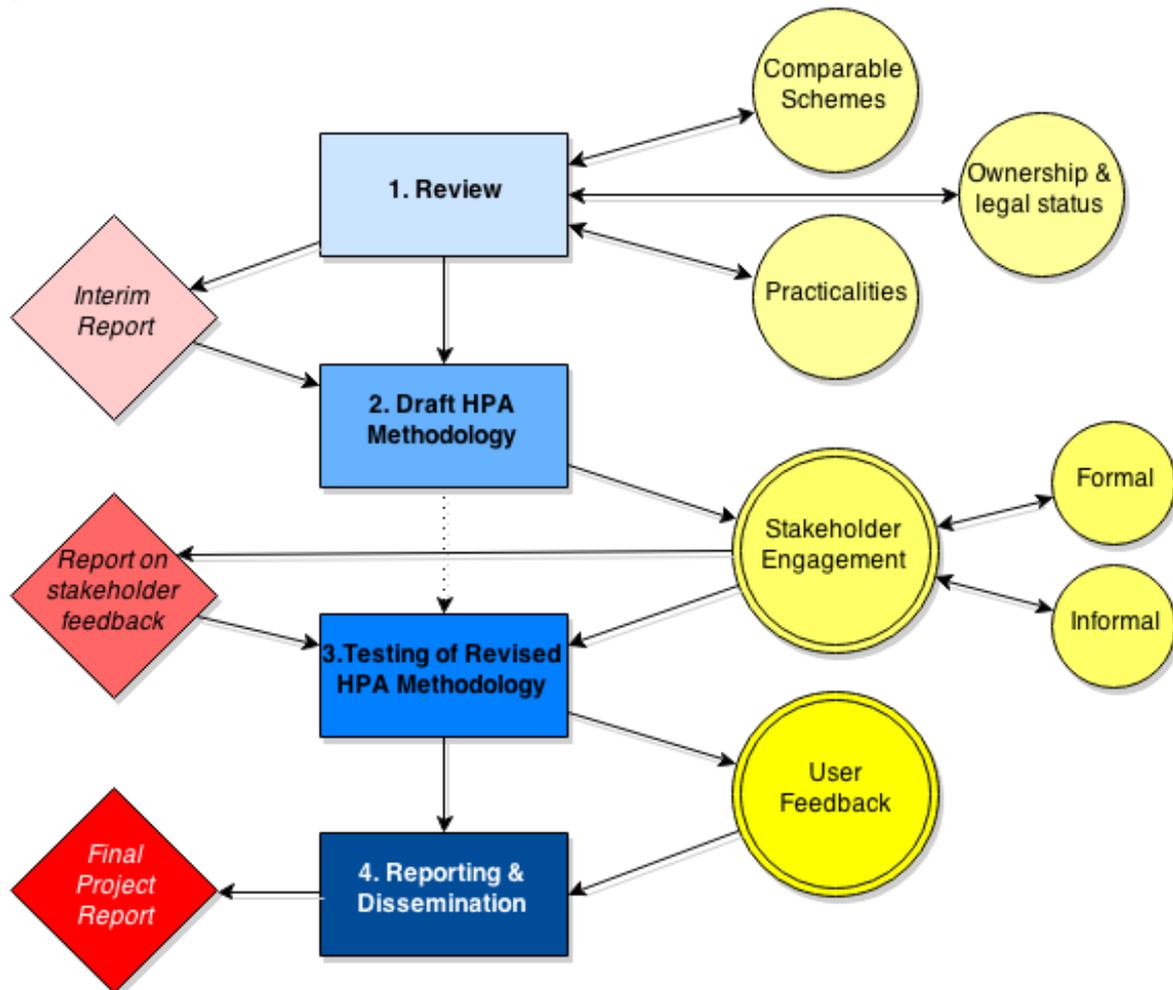


Figure 1. Diagram illustrating the implementation of the staged approach, alongside the impact of English Heritage and stakeholder consultation and feedback on the project across its duration.

The five pilot sites (Figure 2) were selected by English Heritage with the intention of covering a range of different scenarios and vessel types. They represent a full range of the type of maritime archaeological sites that might be expected to be encountered in English waters and include a submerged prehistoric landscape, commercial and military vessels, and ships of wooden and metal construction. Site types also range from shallow to deep water and from low energy to high energy environments. The pilot study sites selected for the HPA project were;

- Bouldnor Cliff (Mesolithic submerged landscape)
- *Campen* (lost 1627)
- HMS *Impregnable* (lost 1799)
- HMS *Velox* (lost 1915)
- SS *Britannia* (lost 1917)

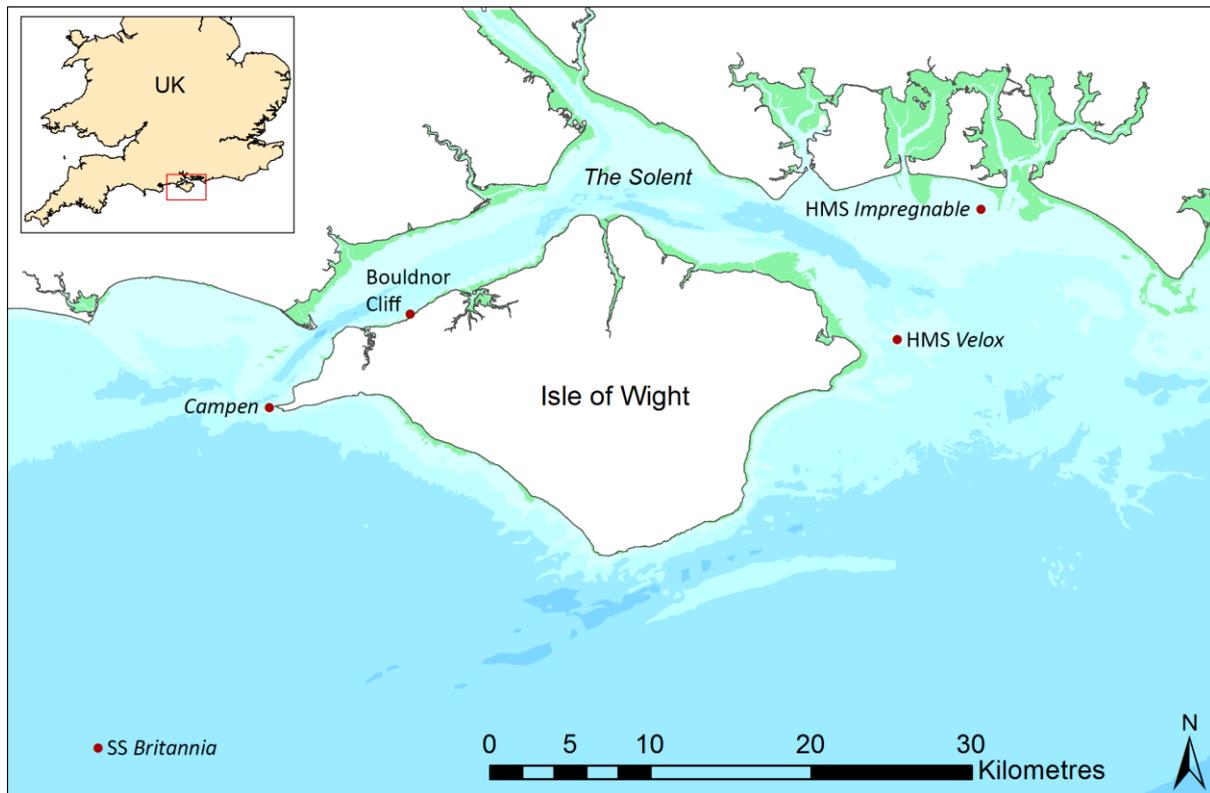


Figure 2. Location of the five HPA Pilot study sites within the Solent region (bathymetry courtesy of the Channel Coastal Observatory).

### 3 A Methodology for HPAs in the Marine Zone

The initial stage of the project allowed for a number of essential pieces of background information to be reviewed and investigated. Such review included the legal remit of EH to manage undesignated marine sites, and a number of existing relevant *agreement regimes* of a similar nature to the envisaged HPA programme. This in turn allowed the development of a proposed methodological framework through which HPAs might be implemented on undesignated sites located within the marine zone of England. The findings of that stage of the project were submitted to EH, discussed, and a revised report produced (HWTMA, 2012) which details the related discussion in full and which is broadly summarised below.

#### 3.1 LEGAL CONTEXT

A review of the legal context of proposed HPAs for marine sites was undertaken with the intention of establishing the extent of EH's overall remit to commission such agreements, and to clarify current understanding of seabed and site ownership. With the former of these in mind, the review concluded (HWTMA, 2012: 4) that there was no requirement for any legal changes in order for EH to implement HPAs on undesignated sites located in the marine zone, provided that such sites are addressed through the provisions set out in the Ancient Monuments and Archaeological Areas Act 1979 (AMAAA) and the National Heritage Act 2002 (NHA).

As a result of this, the implementation of such HPAs would take place on the same terms as those allowable for terrestrial sites. This would mark a clear break from previous management strategies which have utilised legislation set out under the Protection of Wrecks Act 1973 (PWA). Unlike the AMAAA/NHA the PWA requires that sites must be designated before any work can take place under an EH remit, furthermore, it can only be applied to shipwreck sites and excludes the management of submerged landscapes. With this in mind, it could be concluded that the provision of site management, via HPAs, represents a clear step towards the integration of the management of terrestrial sites with their marine counterparts; the much heralded 'seamless approach'.

With regard to seabed and site ownership it is clear that there are a number of different types of ownership that the present project is concerned with (see HWTMA, 2012: 5-7). At a broad level, ownership of the seabed falls mainly into the hands of The Crown Estate. This ownership is completed through a number of private individuals or institutions who own defined areas of seabed. A similar situation exists for the foreshore (inter-tidal) zone, where The Crown Estate owns a large percentage and the remainder is in other ownership. In general terms, cultural heritage that is discovered in this zone and which is classified as 'non-wreck material' becomes the property of the landowner, whoever that might be. This is similar to the case with terrestrial archaeology, although a notable exception is that the Treasure Act does not apply below the low water mark. However, there are some further exceptions to this position relating to fishing and licensed areas of the marine zone. In those cases, non-wreck artefacts recovered during fishing or through aggregate extraction become the property of the finder/recoverer.

Material which is classified as 'wreck material' has a very different ownership status. In this case, the landowner does not have rights to the material. Instead, ownership of such material remains with the original individual, company or institution that owned the vessel at the time of its sinking. For the purpose of salvage, the vessel remains may be sold by the original owner, to a new owner. In which case the latter would retain legal ownership of the seabed remains and/or material salvaged from them. If these owners no longer exist, then ownership passes to The Crown (the accepted terminology for the UK Government). Additionally, a number of classes of vessel exist, such as naval vessels, which are automatically owned by the UK Government. By way of illustration of these varying degrees of ownership, Table 1 lists a number of different site types and ownership possibilities.

A key finding of the Stage 1 review is that in the context of any future marine HPA programme all levels of potential ownership should be represented, if possible. This might include the seabed owner, *in situ* material

owner and if applicable, the owner of any raised material, and they should all be party to any site-specific HPA that is drawn up and/or implemented.

Site Type Scenario	Seabed Owner	In Situ Material Owner	Raised Material Owner
<b>Submerged Landscape A</b>	Crown Estate/Private	Crown Estate/Private	Crown Estate/Private Salvor if raised as a result of fishing or dredging
<b>Submerged Landscape B</b>	Crown Estate	Seabed Licensee	Seabed Licensee Salvor if raised as a result of fishing or dredging
<b>Shipwreck A</b>	Crown Estate/Private	Original Vessel Owner	Original Vessel Owner*
<b>Shipwreck B</b>	Crown Estate/Private	MOD (Royal Navy)	MOD
<b>Shipwreck C</b>	Crown Estate/Private	Secondary Owner	Secondary Owner*
<i>*if a vessel owner no longer exists, or cannot be established, then ownership passes to the Crown</i>			

Table 1. The ownership status of the seabed and seabed material for a range of generic site types and ownership scenarios in order to illustrate the different combinations of seabed owner, in situ material owner and subsequent raised material owner that might be applicable.

### 3.2 RELEVANT CURRENT AGREEMENT REGIMES AND POLICIES

The concept of partnership agreements is not a new one within the management of the historic or natural environment. Accordingly a number of existing programmes, projects and management regimes were reviewed during Stage 1 of the project (HWTMA, 2012: 8-11). These were:

- World Heritage Sites.
- Sites of Special Scientific Interest (SSSIs).
- Environmental Stewardship, implemented and managed by Natural England.
- Marine Stewardship Programme, implemented and managed by The Crown Estate.
- Listed Building protection applied in England.
- Scheduled Ancient Monument protection applied in England.

That process was supplemented through the review of a number of existing policy documents that relate directly to the proposed initiation of HPAs within the marine zone;

- Heritage Protection Review (DCMS & EH, 2005).
- Heritage Partnership Agreements: EH Guidance for staff (EH, 2011a).
- National Heritage Protection Plan (EH, 2011b; 2011c).
- Marine Licensing (overseen by the Marine Management Organisation).
- Designation Selection Guide: Ships & Boats (EH, 2012a).
- Enterprise and Regulatory Reform Act<sup>1</sup>, notable 60(26A) concerning HPAs.

The key elements, themes and defining strategies of these existing partnership agreements and policy documents were integrated into the draft HPA methodology were appropriate. In particular, it should be noted that the Environmental Stewardship programme (Natural England) utilised on farmland in England was deemed to offer a clear parallel to the over-arching aims of the present project. That scheme therefore provided much of the inspiration for the draft HPA methodology that was subsequently defined (see 3.4 below)

### 3.3 IMPLICATIONS AND CONSIDERATIONS

Discussion of the review process (see HWTMA, 2012: 17-20) highlighted several key implications and considerations that were used to inform the subsequent creation of a draft HPA methodology (Section 3.4). Additionally, these served to provide some of the structure for the dissemination and stakeholder consultation that was undertaken as part of Stage 2 of the project (Section 4). These can be summarised as follows;

<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2013/24/contents/enacted>

- **Proactive Management.** The nature of the HPA concept has the potential to allow for the managing organisation, in this case English Heritage, to be proactive in the individual sites included within the scheme. It has the potential to allow EH to set the agenda regarding the type of sites that receive heightened public attention and publicity. This can allow certain site types to be brought within a management regime that are of a high profile or likely to require statutory protection in the future. HPAs also have the potential to offer clear direction as to the type and standard of work that could/should be undertaken on marine heritage assets on a countrywide basis within England.
- **Site Selection.** It was accepted that financial and organisational constraints would prevent the inclusion of every undesignated heritage asset within the marine environment. It was therefore noted that some method or criteria should be utilised to select the sites that would benefit most from the implementation of a HPA. This was clarified by EH as being based on the current Designation Selection guide for ships and boats (EH, 2012a) and that HPA sites should be of 'considerable significance' (HWTMA, 2012: 19). It was assumed at that stage of the project that the actual mechanism would be one where potential HPA sites were selected by EH and publicised. The subsequent public dissemination and consultation undertaken in Stage 2 of the project (Section 4) served to challenge this assumption.
- **Protection.** It was noted that the HPA process was reliant on the heritage partner investing a significant amount of time, presumably on a voluntary basis, into an individual site. The discussion point was raised in the interim project report (HWTMA, 2012: 17), revisited during stakeholder consultation (Section 4), of whether such investment should be safeguarded through some form of statutory protection for any HPA site. A suitable example might be scheduling via the AMAAA. This consideration was related to the selection criteria outlined above, and posed the additional question that if a site was significant enough to be included in the HPA programme, then was it automatically significant enough to merit statutory protection?
- **Incentivisation.** A further implication was raised through the concept of stakeholder investment that related to the extent to which any proposed HPA scheme could, or should, be financially incentivised. Such a step has proved to be successful with the Environmental Stewardship programme implemented by Natural England as a means to recognise when key elements of work have been completed. This may further enhance and sense of ownership of the site by the public and also serve to counter any perception that those responsible for the management of sites (i.e. EH) expected the stakeholders to do their job for them.

All of these considerations and implications were taken into account when designing the initial draft methodology for HPAs. As expected, they also provided some key areas of discussion during the stakeholder consultation that was undertaken during Stage 2 of the project.

### 3.4 PROPOSED HPA METHODOLOGY

As a result of the review process undertaken in Stage 1 and summarised above, a number of conclusions were made:

- That EH had a legal remit to manage undesignated heritage assets located within England's territorial waters.
- That legal ownership of such sites, the seabed on which they rested and the material culture contained within them rested with a range of stakeholders who should, where possible, be included in any HPA.
- That a number of similar and in some cases related schemes were in existence for other areas of the natural and historic environment, and that such schemes could offer guidance regarding the possible format of HPAs on undesignated marine sites.
- That there was existing policy that could provide guidance for the implementation of any eventual HPAs and for the production of draft versions of them.

Taking this into account, it was possible to construct a provisional proposal for how HPAs on an undesignated marine site in England might be structured (HWTMA, 2012: Section 7 & Appendix 1). In the absence of an existing model for undesignated heritage assets, the Environmental Stewardship programme operated by Natural England across farmland in England was used to provide a basis for the structure of the subsequently proposed HPA methodology. In selecting this as the model from which to work, a number of key advantages were noted (HWTMA, 2012: 21):

- Enables EH to retain the strategic direction of any work undertaken.
- Provides the heritage partner with a sense of ownership of their work.
- Allows any work to be financially incentivised, if required.

As noted above, this initial draft methodology was circulated to EH, and then modified following comments and discussion prior to wider stakeholder consultation. Furthermore, in the context of undesignated marine sites, it was considered that the proposed HPA structure would encompass a number of general facets:

- Inclusion of a number of related stakeholders, in addition to EH and the heritage partner. For example local authorities, site owners, related 3<sup>rd</sup> parties.
- Establishment of a clear framework relating to the length of the HPA, including provision for its termination and variation.
- Formulation of a number of different 'heritage tasks' (detailed in Appendix 1), the implementation of which are beneficial to the on-going/future management of marine heritage sites selected for inclusion.
- Tasks would be implemented by a 'heritage partner' with whom EH would enter into the HPA.
- HPAs themselves are graded at three different classes (1-3) (see Appendix 1). The class selected is dependent on the demonstrable expertise of the heritage partner, and serves to provide a measure of protection for the site from damage inflicted due to non-competent heritage partners. Certain tasks (e.g. excavation) may be excluded from certain sites in the interests of preserving the site *in situ* in the best possible condition.
- The class of HPA may also be used to reflect the relative significance of the site, for example a site of high significance is automatically associated with a Class 3 HPA, medium with a Class 2 HPA and those of lesser significance with a Class 1 HPA. This would reflect both the need to ensure the site is well-managed, as well as acknowledging that more complex tasks, carried out on sites of higher significance have the potential to produce data of higher value. Higher classes would ultimately present more tasks to the heritage partner, through the requirement for tasks in lower classes to be completed as part of any higher class HPA.
- A method of providing an incentive to the heritage partners, to recognise their investment in the project and if appropriate, to compensate them for a proportion of costs incurred. Further discussion surrounding this is outlined in Section 6.4.
- Any incentive is only provided to the heritage partner upon completion of a set number of tasks, and submission of an annual report detailing the outcome of the tasks carried out that year. A general principle to this might be that simpler, lower-level tasks carry less reward than higher-level tasks.
- Tasks are designed in a way to facilitate the development of the archaeological skill-set of the heritage partner, in the case of an in-experienced group or individual. This in turn provides a means for building capacity within this sector which will inevitably be beneficial in the future. Similarly, groups/individuals with existing, proven experience can initiate a higher level HPA, but can still complete (and would be encouraged to complete) tasks from lower/earlier levels.

### 3.5 STAGE 1 SUMMARY

The preceding discussion offers a background to the wider context within which the concept of applying HPAs to undesignated sites in the marine zone was considered. That stage of the project concluded, in broad terms, that such HPAs represented an exciting and potentially innovative way to improve the future management of England's Underwater Cultural Heritage. Furthermore, that it offers a clear way for EH to retain a strategic

overview of management strategy, while engaging and rewarding members of the public, either vocational or a-vocational, who are prepared to take an active role in such management.

At that stage of the project, a number of important considerations were highlighted that related to the selection, protection and incentivisation of HPA sites and the work undertaken in relation to them. These themes were returned to in the consultation that took place during Stage 2 of the project. They were also considered when drawing up the basic framework of how any HPA methodology might work. The final version of that methodology is now included here within Appendix 1, and some of the key components that directed its creation were outlined in Section 3.4. The following section of this report now describes the overall process of stakeholder engagement that was undertaken as a means to refine that initial methodology.

## 4 Dissemination, Consultation and Stakeholder Feedback

As described above, Stage 1 of the project resulted in the production of an Interim Report (HWTMA, 2012) and accompanying draft methodology. Stage 2 (HWTMA, 2013a) entailed presenting that methodology to a range of stakeholders in order to gain direct feedback from the intended end-users. This section summarises the process of dissemination and the feedback provided by stakeholders before outlining the main conclusions that could be drawn from the stakeholder consultation process. A detailed account of the entire process can be found in the Dissemination Report (HWTMA, 2013a) submitted to EH at the end of Stage 2 of the project.

### 4.1 DISSEMINATION & ENGAGEMENT

#### 4.1.1 *Dissemination Mechanisms*

Existing literature (EH, 2011a: 7-9) concerning the development and use of HPAs has identified the need for HPAs to involve (either formally or consultatively) all parties who might have an interest in the site in question. Accordingly, a broad range of stakeholders were engaged through a range of mechanisms in order to present the project to them and to seek their opinion regarding its methodological approach. These can be summarised as follows:

- **Information Leaflet:** A two-page information leaflet was produced which outlined the basic nature and scope of the project, what it hoped to achieve and how.
- **Public Talks:** Where interest was expressed following initial contact, a public talk and associated question and answer session was provided.
- **Website:** Project webpages were created and hosted by the HWTMA. These pages mirrored the information provided in the information leaflet as well as providing greater detail on the provisional methodology and the pilot study sites. The webpages also offer a means to contact the HPA project directly via email and to provide formal feedback.
- **Newsletter Publication:** Regional and national engagement through relevant networks was achieved through the publication of two newsletter articles in January 2013.
  - *Solent News*, Issue 33 (HWTMA, 2013b). The Solent Forum is a broad regional group representing a wide range of individuals, organisations and institutions concerned with the management of all aspects of the Solent.
  - *Nautical Archaeology*, Winter 2013 (Whitewright, 2013). The Nautical Archaeology Society is a specialist group for nautical archaeology within the UK with a large avocational membership and is concerned with all elements of the discipline, including site management.

#### 4.1.2 *Avocational Organisation/Individual Engagement*

Review of the NAS Adopt-a-Wreck Scheme as part of Phase One of the project illustrated its popularity with avocational sports divers and highlighted the potential of this group of stakeholders for future engagement as heritage partners. With this in mind, fourteen sub-aqua clubs (SACs) were identified within the Solent region, contacted, provided with an electronic copy of the project information leaflet to circulate to their members

and asked if they were interested in being involved in the project in any capacity. Six SACs replied expressing interest in the project and public talks were eventually provided to members of four of these clubs:

- Nautical Archaeology Sub-Aqua Club (NASAC).
- Solent Archaeological Divers Sub-Aqua Club (SADSAC).
- Southdown Divers Sub-Aqua Club (SDSAC).
- Wight Dolphins Sub-Aqua Club (WDSAC).

Attendance at the HPA talks by members of these clubs represented 60-70 individuals with a broad range of basic interests in sports diving. This cross-section included people with substantial archaeological experience, for example existing licensees of designated wreck sites, from NASAC and SADSAC. It also included individuals with no experience of archaeological diving, from SDSAC and WDSAC, but who were nevertheless interested in the concept of the project.

#### **4.1.3 Professional Organisation/Individual Engagement**

In addition to the avocational groups and individuals discussed above, a number of professional organisations and individuals were identified and contacted. Some of these were drawn from the archaeological or heritage management community, while others were representative of wider interest groups or were simply non-archaeological in nature:

- British Sub-Aqua Club (BSAC) – Heritage Policy Advisor.
- British Marine Aggregates Producers Association (BMAPA).
- Crown Estate (CE).
- Centre for Maritime Archaeology, University of Southampton (CMA).
- Hampshire and Wight Trust for Maritime Archaeology (HWTMA), now the Maritime Archaeology Trust (MAT).
- Natural England (NE).
- Nautical Archaeology Society (NAS).
- Receiver of Wreck (RoW).
- Solent Forum (SF).
- Hampshire and Isle of Wight Trust for Wildlife (HIWTW).

Public talks were given to the Centre for Maritime Archaeology, University of Southampton and to the Solent Forum. The former offered the chance to present the HPA project to a group of academic staff and postgraduate students who were able to comment on the project from a highly informed position regarding heritage management and public engagement with maritime archaeology. In contrast, contact with the Solent Forum offered the opportunity to present the HPA project to a quarterly meeting where a range of non-archaeological, coastal and marine management interests were represented. This included representatives from:

ABPMer	Mary Rose Trust
Bembridge Angling Club	National Trust
British Marine Federation	Natural England
Chichester District Council	New Forest National Park Authority
Chichester Harbour Conservancy	Portsmouth City Council
DEFRA	QHM Portsmouth
Earth to Ocean	Royal Haskoning
Eastern Solent Coastal Partnership	RYA
Environment Agency	Solent Cruising and Racing Association
Geodata Institute	Solent Forum
Hampshire County Council	Solent LEP
Havant Borough Council	Solent Protection Society
Isle of Wight Estuaries Project	Southern Water
Langstone Harbour Board	University of Portsmouth Environment Network
Marine Management Organisation	Vectis Boating and Fishing Club

#### 4.1.4 Feedback Mechanisms

Planning of Stage 2 highlighted the need for a coherent system to provide feedback from a potentially wide range of people accessing a variety of different dissemination methods. While it was seen as inevitable that much feedback would be non-quantifiable in nature, it was considered desirable to be able to extract quantifiable information at the end of this process. Likewise, many stakeholders who were provided with information about the project and asked to comment upon it would not have the opportunity for face-to-face verbal discussion. Therefore, in order to give stakeholders the greatest possible capacity and incentive to respond, three different methods of providing feedback were utilised:

- **Informal Email Response:** Some stakeholders that were contacted simply replied via email with their thoughts, suggestions and opinions on the project in a relatively informal manner.
- **Verbal Discussion:** All of the public talks given by the HPA project generated considerable discussion between those present. This ranged from direct comment on the potential usefulness of the project, through to suggestions and observations as to how things could be improved or altered in the opinion of that stakeholder. These comments were noted and used to inform the way the draft methodology was formulated. In other examples, one-to-one meetings took place with individuals who were not able to attend a public talk, but who nevertheless wished to discuss the project in more detail.
- **Questionnaire:** In order to provide a more quantifiable means of gathering feedback and to save valuable time in recording verbal feedback a questionnaire was developed which all those who were contacted or who attended public talks were encouraged to complete.

## 4.2 FEEDBACK

A detailed description and account of all the feedback received, from all forms of dissemination and stakeholder consultation, can be found in the Stage 2 Interim Report (HWTMA, 2013a: 8-13). Overall, the process of public engagement, presentation and feedback produced a number of valuable comments and suggestions that were carried forward to the implementation of the draft HPA methodology on pilot sites in Stage 3. For convenience, a summary of that feedback is provided here:

- **Public Perception:** The HPA project was positively received and accepted as a potentially effective way to manage underwater cultural heritage that currently lies outside of the legal framework.
- **Dissemination:** Any dissemination of HPA work should be carried out through a central source, rather than on an individual basis. The model for this might be the Protected Wreck section of EH's website, where basic site information is provided, together with specific reports and documentation for download, as such material is produced.
- **Legal Status:** On the whole it would be desirable for HPA sites in the marine zone to be afforded some sort of legal status. Partly to protect the work and investment of the heritage partner and partly to allow such sites to be seen in a consistent way with terrestrial sites that are subject to HPAs and which are all scheduled. The most effective framework for such protection is the AMAAA (1979) which would prohibit unspecified interference but would still allow full public access. The AMAAA also makes provision for the use of statutory management agreements (Section 17) to allow specified works to be undertaken on a site. However, on balance it seems that the scheme will operate more efficiently if the undesignated status of sites is maintained. One long-term aim of each individual HPA should be to build up an evidence base that can be used to make an informed scheduling/designation selection decision, as required.
- **Tiered System of Work:** The concept of a tiered system of activity was very well received. It is clearly a potentially effective way to access the full range of existing skills and specialities of potential HPA groups in a relatively consistent way, while providing an over-arching framework for groups and individuals to work within.
- **Incentivisation:** There is clearly a desire from those consulted to see some form of incentive put in place to encourage participation in the scheme. Several potential routes for doing this were put forward by respondents which can be recorded here for future reference and can be summarised as follows:

- Payment of costs incurred by heritage partners; e.g. boat fuel, air fills, etc.
- Partial payment of costs (e.g. 50%) as a way of matching the economic commitment of the heritage partner.
- Provision of a 'pot' of money to which heritage partners could apply, receiving a grant to facilitate work done through the HPA scheme.
- Facilitation of training, via an organisation such as NAS, to allow more fulfilling participation by inexperienced partners at the lowest tier. Similar training could be provided for more specific elements, such as ecological surveys, at all tiers.
- **Site Selection:** Sites put forward for HPAs should be primarily selected by EH to ensure strategic guidance can be maintained. However, some provision should be made for public nomination of sites as a way to widen engagement. Sites included in the HPA scheme should be demonstrably of 'national importance', which the present project has interpreted as meaning 'of medium to high significance'. Site significance should be clearly assessed by EH, or other suitably competent contracted body, as part of the site selection process. As discussed below, such an assessment should form part of the HPA for each chosen site

### **4.3 STAGE 2 SUMMARY**

This section has outlined, presented and discussed Stage 2 of the HPA project. That stage was concerned with the dissemination of findings from the Phase 1 Review, and primarily with the provisional methodology that was developed during that phase]. Feedback was then gathered from a range of stakeholders and was subsequently used to inform the formulation and development of a draft HPA for implementation on the pilot sites (see Section 5 below).

A number of primary conclusions can be drawn, based on the dissemination and feedback process; most notably that the concept of using HPAs to manage undesignated sites is seen in a very positive light. The approach proposed in the Interim Report of using a tiered system of archaeological activity was also welcomed and was noted as representing a meaningful way to cater for a broad spectrum of site users.

The great majority of those consulted also thought that the scheme should include some form of incentive to encourage participation and maintain activity. A financial system of providing costs to heritage partners had originally been proposed in the initial draft methodology. Based on stakeholder feedback, a range of further options were developed (see Section 4.2(5)) and using several of these together may represent a flexible and nuanced way to provide an incentive to those interested in participating with an HPA, without simply providing a financial lump sum.

A further issue that was highlighted during dissemination based discussion was the status of sites as undesignated and therefore unprotected. Arguments can be made both for scheduling under the AMAAA and for maintaining HPA sites in the marine zone as undesignated. On balance, the bureaucratic streamlining provided by an undesignated status is probably more helpful for establishing the HPA scheme as a meaningful way to manage sites, than creating an entirely new consent regime for carrying out work on ancient monuments located in the marine zone. HPAs are perhaps better seen as a mechanism for developing local community protection of sites and for providing a corpus of baseline information that may potentially be used in the future as evidence to support a scheduling application, if it is apparent that an individual site would benefit from increased protection.

Overall, Stage 2 of the project established that any future HPA programme is likely to be welcomed by the marine community with the potential to be effectively implemented as a means for managing England's underwater cultural heritage. Importantly, Stage 2 allowed the initial draft methodology to be refined as a result of stakeholder comment, the process of testing the final draft methodology and the results of that testing are now outlined in Section 5.

## 5 Testing the Methodology

Following stakeholder consultation, the original Project Design envisaged a period of testing, Stage 3, during which the draft methodology would be applied to the five pilot study sites selected by EH. Despite communication with a number of potential heritage partners, no groups volunteered to offer to test the methodology on any of the pilot sites. The reasons for this are discussed further with regard to the recommendations put forward in Section 6, but, they appear to revolve around twin factors of Site Selection and Incentivisation.

In the absence of a volunteer heritage partner to test the draft methodology, the work of the archaeological dive team at the Maritime Archaeological Trust was used instead. Fieldwork in the summer of 2014 as part of the Forgotten Wrecks of the First World War (FWFWW) project entailed the diving investigation of the SS *Britannia*, also one of the HPA pilot sites. Fieldwork undertaken through the FWFWW project is funded through the Heritage Lottery Fund and the dive team comprised professional archaeologists as well as volunteer divers. With this in mind it was considered that the two main facets of the archaeological diving community in England could be accommodated in a single case study. The site also had the advantage that it had not been subject to and previous archaeological work. Diving on the site would therefore serve as a good proxy for a Level 1 HPA in which the main objective was the establishment of baseline information, and where more complex archaeological work would not be undertaken – perhaps mirroring what is potentially the most common type of future HPA.

With the above in mind, this section outlines the process of drafting a HPA for the site of the SS *Britannia* (Section 5.1), the data gathered during work on the site (Section 5.2) and a number of subsequent discussion points that arise from the pilot study work (Section 5.3).

### 5.1 HPA DRAFTING METHODOLOGY

The following account sets out the rationale and thinking used to formulate the proposed draft HPA methodology for use on undesignated marine sites in England. In this example the site in question is the SS *Britannia* (lost in 1917). The full draft HPA drawn up for this purpose is included in Appendix 2 and is the same as that supplied to EH as part of the project in July 2013. It should be noted that the actual HPA agreement is relatively short and concise, but that the supporting documentation and information about the site is of greater length. Drafting of the SS *Britannia* HPA was based on a number of documents and processes, some of which have been outlined in the previous sections, but which included:

- The Stage 1 Interim Report (HWTMA, 2012) submitted to EH in October 2012 (see Section 3 above).
- The Stage 2 Interim Report (HWTMA, 2013) submitted to EH in June 2013 (see Section 4 above).
- An example terrestrial HPA supplied by EH, between the University of Sussex, Brighton and Hove City Council and English Heritage relating to listed buildings on the University of Sussex campus (EH, 2012b).
- English Heritage documentation relating to HPAs (EH, 2011a).
- The Enterprise and Regulatory Reform Act 2013 (ERRA), section 60 of which amends the Planning (Listed Buildings and Conservation Areas) Act 1990 to include Heritage Partnership Agreements (Section 26A and B).

The structure and order of that draft HPA is based on the order of the ‘Guide Model Headings’ referred to above (EH, 2011a: Appendix A). These also serve to provide the structure to the discussion (below) of a number of specific elements of the draft HPA.

#### 5.1.1 HPA Partners

Any HPA should clearly set out who the partners are. As a minimum, this should include the stakeholder partner, English Heritage and the owner of the asset if one can be positively identified. The latter is especially critical where the ownership of the site is known and it is expected that material will be raised from the vessel.

If the HPA is at Level 3 and is likely to result in excavation, then the seabed owners, for example The Crown Estate, must also be included. The ERRA notes (60 (2)26A(2)(g)) that any other person who appears to the relevant planning authority as 'having special knowledge of, or interest in' the site can be party to a HPA. In the example of the SS *Britannia* this might include organisations such as the MAT, who are currently conducting work on the site, or individuals such as the dive boat skipper and maritime historian Dave Wendes who has dived on, and researched the site (see Wendes, 2006: 108-9).

### **5.1.2 Legislation**

It is presumed that sites selected for a HPA will be undesignated and this should be noted at this point in the document; if sites are scheduled under the AMAAA (1979) then this should be noted. It is also helpful to remind the heritage partners of their legal requirements to comply with the Merchant Shipping Act (1995) and the Marine and Coastal Access Act (2009). This can be included at this point as a standard form of words.

### **5.1.3 Terms of the Agreement**

#### *Duration and Review*

The duration of a full HPA will be five years, as suggested through discussion with EH (Lucy Oldnall pers. Comm.). This expands upon the three years suggested by EH guidance (EH, 2011a: 11), but will mirror the approach now being taken on terrestrial sites, where five year agreements are being introduced, increasing consistency between terrestrial and marine assets. A formal annual review (see EH, 2011a: section 13) of the HPA will be held between diving seasons (during the winter) on an annual basis. It is suggested that an informal meeting may be held during the summer of each season at the request of the heritage partner in order to maintain and encourage lines of communication. After five years the HPA may be renewed if both parties are happy to do so. This satisfies the requirement set out by the ERRA (60(2)26B(1)(c)) that a HPA must 'make provision for its termination and variation' (see also the section below on variation). For the purpose of the pilot HPAs the duration of the HPA was limited to one year to fit within the project timescale.

#### *Variations*

As suggested by the HPA guidelines, any minor variation can be negotiated and confirmed by email consultation between all the partners to the HPA. At present it is not clear what such variations might be as the tasks described in the different tiers are quite generic. This is likely to remain the situation, as a means of prescribing general types of work to be carried out across a range of site types. This is one of the key differences between the application of HPAs to the marine zone, and undesignated sites in particular, in contrast to their previous use on listed buildings where a detailed schedule of works is required on a case by case basis in order to maintain the fabric and quality of the building.

#### *Monitoring and Reporting*

In most cases there is likely to have been previous work done on the site. This work should be identified and serve to provide the baseline against which future monitoring of any positive/negative effects of the HPA on the site is done. However, the naturally degrading nature of most marine archaeological sites means that this is not as much of a consideration as it is with a listed building for example, where maintenance of the building's fabric is a prime concern. It is also of use for any legislative or planning constraints to be identified at the outset, along with a basic assessment of archaeological significance and assessment of any threats/risks to the site. All of this work can be done to a standard format which can be included as an annex to the HPA, such inclusion will also indicate that the heritage partner accepts and acknowledges the previous work done on the site. An example annex is included in the draft HPA for the SS *Britannia*, set out in Appendix 2.

Reporting of work carried out on an HPA site may be done through a standardised template that all heritage partners will be expected to use. It is recognised that the nature of maritime archaeological activity can mean that work (such as survey) takes place over an often extended period of time within a distinct window, itself dependant on the suitability of tides and weather. Accordingly, to eliminate unnecessary paperwork, both in creation and processing, monitoring of activity will encompass a summary account of each period of work that

takes place; dates and hours of diving carried out, main tasks undertaken, general outcome of tasks, etc. Ideally, such a process will mainly be a 'tick box' or drop-down list procedure to allow basic information to be collected in a consistent way across all HPA sites.

In addition to this summary reporting, the heritage partner will be expected to maintain a detailed archive of the work that they have undertaken, in the form of dive logs, original site records, photographs, etc. As far as possible these will be created in a digital format, or transferred to a digital format to facilitate storage and central archiving. A copy of these archives will then be deposited with EH via the National Record of the Historic Environment (NRHE) at Swindon. This will be accompanied by the mandatory submission of an annual HPA site report. Such reports should be written to a standard template, provided to the heritage partner, to ensure a measure of consistency across all HPAs.

#### *Notification Periods*

When establishing an HPA for a designated terrestrial site, it is normal for English Heritage to be notified in advance of any work that is to be undertaken, particularly if that work may be outside any schedule of previously agreed activity. Work that may be considered 'standard' or of 'low-impact' may be agreed in advance, according to a written schedule and undertaken without notification. In relation to the application of HPAs to undesignated marine sites it is proposed that most general types of work set out in the task list for each level of HPA are of a non-intrusive nature. Accordingly, there seems to be no need for any formal notification period to be required as part of the HPA. The clear exception to this is where excavation might be included as part of a Level Three HPA; the potentially destructive nature of this dictates that there must be a clear requirement for excavation to be demonstrated in advance. The planning of that activity may then include a detailed calendar of work which will be communicated to EH as part of the overall planning and justification of the excavation.

With all of the above in mind, and to maintain some consistency between terrestrial and marine HPAs, it is suggested that heritage partners provide a provisional list of periods (for example a spread of dates) during which they intend to visit and carry out work at the site. Taking such a broad approach will also allow for the flexibility required by the vagaries imposed by the variability of weather and sea conditions that inevitably impact on work conducted in the marine zone.

#### *Dispute Resolution*

The HPA guidance indicates (EH, 2011a: 14) that a third party should be identified and agreed at the outset by the HPA partners, for the purpose of mediation of any subsequent dispute. The Local Planning Authority has been identified (Lucy Oldnall pers.comm.) as a potential mediator in the unlikely event of a non-reconcilable dispute.

#### *Funding and Grants*

The ERRA notes (60(2)26A(6)(g)(i)) that a HPA may provide for a relevant public authority to make payments or specified amounts and on specified terms 'for, or towards the costs of any works provided for under the agreement'. Indicating that EH can potentially provide a financial incentive to the scheme if it chooses. The HPA guidance notes provide (EH, 2011a: 14) an entry for Funding and Grants to be included in any HPA agreement which will 'State how the HPA or associated works will be commissioned and/or funded'. Section 4.2 (above) provided a summary of the feedback provided during stakeholder consultation by respondents as to how they thought the HPA scheme might be incentivised and recommendations with regard to this are provided below in Section 6.3.

#### **5.1.4 HPA Part 2: Conservation Framework**

It is not clear, which, if any existing heritage conservation frameworks are applicable to the use of HPAs for undesignated marine sites. Therefore this section, as set out in the HPA Guidance Notes (EH, 2011a) has been included in the draft HPA for the SS *Britannia* but not populated. It is appropriate to make the heritage partner

aware of the Project Planning Note for Marine projects (Satchell, 2014) and a link to that is included therefore in the draft HPA.

### 5.1.5 HPA Part 3: Works which are Subject to the Agreement

The ERRA notes (60(2)26A(6)(c)(f)) that a HPA can specify or restrict the type of work that can be carried out on a site. The wide range of types of work/activity that might be undertaken as part of any marine HPA are identified and set out in Appendix 1. Stakeholder consultation and feedback (Section 4 above) found that this tiered arrangement of work and the types of work listed was seen as suitable by respondents. Accordingly, this has been retained for the draft HPA agreement contained in Appendix 2. It should be noted that because the draft HPA is a Level 1 agreement, only the work considered suitable for that level has been included and described in Part 3 of the HPA agreement. It is presumed that while the various types of work that will be included in an HPA will be described in relatively generic terms, each HPA will include a different list of works; these will be dependent on the nature of the site and the level of HPA that is being drafted. There may for example be a Level 3 HPA, but which has the possibility of excavation as a work task intentionally omitted during the drafting stage because of the fragility of the site and the desire to preserve remains *in situ*. Such omission would be in keeping with the guidance set out in the ERRA.

### 5.1.6 HPA Part 4: Appendices

In accordance with the guidance on drafting HPAs (EH, 2011a) part four of the draft HPA agreement contains a number of documents that are referenced earlier in the draft HPA. These include a standard summary reporting form and a standard dive log pro-forma to encourage consistency in the recording and reporting of HPA activity. It is likely that on further consultation with pilot HPA partners, additional material will be identified that can be included in these appendices. Electronic versions of these files can be supplied to each partner in the HPA.

## 5.2 RESULTING DATA

Diving on the SS *Britannia* took place on the 8<sup>th</sup> July 2014 when the site was visited by an eight person dive team as part of the FWFWW project. All eight divers successfully dived on the vessel, totalling 410 minutes of dive time. All data was either recorded in a digital format, or scanned afterwards to allow digital archiving. The extent of the data recovered during a single day of diving on the site and its relationship to specific HPA tasks is summarised in Table 2.

Data Type	Quantity	Format	HPA Task
Dive Log	7	Digital scan	1.5
Photograph	29	Jpeg	1.2
Video	1	Mpeg	1.3

Table 2: Types and extent of data recovered during a single day visit to SS Britannia.

In relation to the Tier 1 HPA (Appendix 1) that the work undertaken on the SS *Britannia* was intended to represent, a number of tasks were carried out with clear results. In addition, desk-based work undertaken in the drafting of the HPA and by researchers engaged in the FWFWW project, was carried out that could be further supplemented by the existing historical research undertaken by Wendes (2006: 108-9). Overall, the following outcomes were achieved:

- Task 1.1: Desk-based research to establish baseline historical information about the site including its location and type.
- Task 1.2: Initial documentation of the site through a photographic survey.
- Task 1.3: Initial documentation of the site through a video survey.
- Task 1.5: Creation of a basic overview measured sketch plan of the site and some of the key features.

To this can be added a number of other things that would be expected in the case of a 'live' HPA, namely the completion of an HPA form summarising the work undertaken during the visit period, the year-end report

(Task 1.7) and the year-end deposition of an archive (Task 1.8) of the material generated during work on the site.

Based on a single day of diving, none of these tasks should be considered as complete for this site. But the work undertaken during one day of diving illustrates the potential extent and nature of data that could be generated for a site when several visits were undertaken across the duration of a single diving season. If such work was undertaken across the proposed five year period of an HPA then it is clear that the monitoring and understanding of the site has the potential to be quite comprehensive.

Similarly, there are limitations to the data gathered on the site. Primarily this revolves around effectiveness of the photo and video survey, which was limited because of the light conditions at 40m depth on the day of the site visit. This further illustrates the need to ensure that when put into practice, HPAs take place across a long enough period of time that several visits can be undertaken.

### **5.3 IMPLICATIONS ARISING**

A number of implications can be identified that relate to the potential effectiveness of future HPAs and their management. Firstly it is clear that not all the data generated will be useful, all of the time. The variability in on-site conditions and the abilities of heritage partners will dictate that some of the material gathered will have little material use over the longer-term. But, it is also clear that future HPA work also has the potential to generate a large amount of very useful data, in a consistent fashion, across a potentially large number of sites and site types. The nature of the HPA task-list will hopefully dictate that this will cover a range of requirements for site management and information gathering, for example biological surveys or condition monitoring.

An obvious strength of any future HPA programme lies in its ability, as just noted, to undertake work in a consistently structured fashion across a potentially large range of sites. This contrasts with the present situation for sites managed through the Protection of Wrecks Act (PWA) where the archaeological contractor can only visit a limited number of sites every year, and the site licensees are not bound to a prescribed scheme of work. With this in mind, it appears fundamental to the success of any HPA programme that people *want* to conduct work on the sites concerned because they have a personal, shared or community interest in them. This, to an extent revolves around the creation of a sense of ownership of such heritage assets, but, is also related to the policy that underpins the initial selection of sites for inclusion in the HPA programme. This is discussed further in Section 6.2 below.

Finally, discussion with EH during Stage 1 of the project made it clear that EH does not see itself undertaking the role of HPA management at a level where extended interaction with heritage partners is required. Such interaction is likely to be required to ensure a consistency of approach in elements such as reporting and archiving and for conducting some of the work required to set up each HPA. Additionally, should there be any financial incentive associated with the scheme this would also need to be administered. The obvious solution to this is that management of the wider HPA programme is contracted to a competent organisation in much the same way as the diving element for the PWA is contracted out, rather than EH managing operations directly. Further discussion and recommendations in this regard is provided in Section 6.5 below.

### **5.4 STAGE 3 SUMMARY**

Stage 3 of the project set out to produce a draft HPA for each of the five pilot study sites and to test their practical application in conjunction with a number of different stakeholder groups. The draft HPAs were submitted to EH in July 2013, but, despite repeated efforts none of the groups that expressed initial interest signed-up to participate in the testing of the HPA methodology.

In order to continue to assess the viability of the practical application of the project, diving that was being undertaken on one of the pilot study sites, the SS *Britannia*, by the Maritime Archaeology Trust was instead

used from an HPA perspective. The data generated during a single day visit to the site was assessed and compared to the type of work that might be undertaken during a Tier 1 HPA, and the outcomes considered.

This illustrated that such work has clear potential to generate data from a consistently prescribed task list and that such data is potentially useful for the recording, monitoring and management of sites. It also strongly suggested that the potential extent of data created is likely to require some form of site-by-site management and liaison with the heritage partner.

## **6 Discussion and Recommendations**

Following the presentation of the main stages of the project in the previous sections, this section addresses a number of discussion points that have been recurring themes throughout the project or which have been highlighted during specific stages. In drawing such discussion to a final conclusion the main points are considered, and in each case clear recommendations are set out that can be referred to when planning and implementing any future HPA programme.

### **6.1 THE SUITABILITY AND USEFULNESS OF HPAs IN THE MARINE ZONE**

It is clear from both Stage 1 and 2 of the project that the implementation of HPAs for undesignated sites in the marine zone can have a positive impact on the protection, management and monitoring of England's underwater cultural heritage. The limited testing undertaken in Stage 3 indicates that data resulting from a wider HPA programme could positively enhance our evidence base in all these areas. Moreover, it is apparent from stakeholder consultation that such a programme offers a way to foster an increased public engagement with Underwater Cultural Heritage in a similarly positive manner.

#### **Project Recommendation:**

- That a programme of HPAs for undesignated sites is implemented on range of maritime archaeological site types within England's territorial waters.

### **6.2 SITE SELECTION**

A shortfall in the present project was the failure to recruit any groups as heritage partners to test out the draft methodology on the pilot study sites. This was despite engagement with a number of dive clubs and individual divers during Stage 2 of the project. The main reason for the lack of sign-ups, based on the feedback from groups involved, was twofold and revolved around the selection of sites, and the incentivisation of work (discussed below in Section 6.4).

Upon hearing first-hand about the project, almost all parties present wished to suggest sites that they thought were suitable for a HPA. They largely acknowledged that the pilot study sites were broadly representative of English maritime archaeological sites, but had no wish to engage directly with them, but preferred to suggest their own alternatives that they were more familiar with. Many such sites were directly comparable with pilot sites, especially when dealing with vessels of later periods, and so could be considered as valid candidates. The inherent rarity of sites from earlier periods dictates that it is unlikely that many examples are known about that are not already monitored and afforded statutory protection.

It is clear that from a strategic management perspective site selection needs to retain some form of central direction as a means to drive wider proactive policy making and direction. Likewise, successful public engagement is required for the idea of HPAs to work effectively. But, as indicated above, feedback gathered during Stage 2 indicates that a pre-defined list of sites, selected by a body such as EH, will not have the required impact in inspiring members of the public to take part in the scheme. There was a clear desire from those consulted for at least an element of public selection (Section 4.2) because it is members of the public who are volunteering their time to undertake the work. The argument can also be made that the heritage

assets involved are in the public domain, and as such, the public should be trusted to make informed choices about what they would like to see protected.

Site selection should therefore be based on a combination of centrally defined sites, serving a longer term strategic aim, in conjunction with the sites that are directly selected by the general public. Clearly, sites selected by the public would need to be of similar significance to those that are centrally selected. All sites should therefore be assessed for importance/significance against the same criteria in order to ensure that things are done in a consistent and transparent manner and to demonstrate that all sites on the HPA list have some measure of equivalence. An example significance assessment for the SS *Britannia* is provided in Annex 4 of the draft HPA included in Appendix 2.

**Project Recommendation:**

- The majority of marine HPA sites should be centrally chosen as a means to meet strategic management objectives.
- Such selection should be supplemented, as required, through sites suggested by the public.
- All potential sites should be assessed for their significance and those that are considered to be of medium significance or higher should be eligible for inclusion in the HPA programme.

### **6.3 SITE PROTECTION**

Building upon the discussion just outlined, an approach to site selection founded upon a centrally defined, strategically informed list of sites, supplemented by additional sites nominated by the public also allows further consideration of the question of whether or not HPA sites should be afforded statutory protection. This discussion point had originally been highlighted during Stage 1 of the project (Section 3.3) and was revisited during the stakeholder consultation conducted in Stage 2 (Section 4.2).

Overall, and given the required significance of a site to be included in the HPA programme, it seems that HPA sites should be afforded some form of statutory protection as a way to offer recognition of the investment in the site that is being put in by the stakeholder. This would facilitate an expansion in the overall number of sites that are under some form of management regime. It would also serve to act as something of a guarantee that the resources invested in any future HPA projects from central funds will be going toward sites of a demonstrable significance that can contribute in a meaningful way to the overall story told by England's maritime archaeological record.

But, there are clear advantages, from an administrative perspective, in dealing with sites of an undesignated nature. Likewise, a strong argument can be made that any statutory protection should be based on the nature of the seabed remains, rather than a purely desk-based assessment drawn up during the drafting of an individual HPA. It is also clear that work undertaken through the HPA scheme has a clear role to play in compiling the evidence base that may allow subsequent designation/scheduling. The potential scope of any future HPA programme dictates that the evidence base for affording statutory protection will be much greater than at the present time. This in itself must be considered beneficial in the longer-term.

**Project Recommendation:**

- HPA sites should be considered as suitable candidates for statutory protection following an assessment of their significance during the site selection process.
- Any resulting decision should be founded on the evidence base compiled during subsequent HPA work by the heritage partner.
- Sites which are deemed significant enough to afford statutory protection should be scheduled under the AMAAA in order to recognise the significance of the heritage asset, while maintaining public access.

## 6.4 FINANCIAL INCENTIVES

As noted above (Section 3.4), the provisional methodology developed during Stage 1 of the project drew heavily on the Environmental Stewardship scheme operated by Natural England. A central part of that scheme is the system of financial rewards offered to those who sign up to the scheme; offering incentives for completing tasks within each type of stewardship agreement. A broadly similar system was initially proposed for the provisional HPA methodology which would potentially result in the costs incurred in carrying out HPA tasks being met. On the basis of the discussion stemming from stakeholder consultation a number of different options were identified as a means to provide an incentive to potential heritage partners:

- Payment of costs incurred by heritage partners; e.g. boat fuel, air fills, etc.
- Partial payment of costs (e.g. 50%) as a way of matching the financial investment of the heritage partner.
- Provision of a 'pot' of money to which heritage partners could apply, receiving a grant to facilitate proposed work done through the HPA scheme. This may be the most suitable to comply with HSE regulations.
- Facilitation of training, via an organisation such as NAS, to allow more fulfilling participation by inexperienced partners at the lowest tier. Similar training could be provided for more specific elements, such as ecological surveys, at all tiers.

On the basis of further consideration and discussion, it is considered that option 'b' or 'c' represents the most balanced way to provide a possible incentive. One reason for this is that both those options restrict the incentive to a partial coverage of costs, or through the award of a grant to cover such costs. With regard to the authority of EH to provide financial incentives of this type, the Enterprise and Regulatory Reform Act (2013) notes (60(2)26A(6)(g)(i)) that a HPA may provide for a relevant public authority (assumed in this context to be EH) to make payments or specified amounts and on specified terms 'for, or towards the costs of any works provided for under the agreement'. It may be noted here that during the discussion meeting in Stage 1 of the project it was stated that such financial incentives may have to be administered by a third party, rather than directly by EH.

A caveat to such implementation is that further clarification needs to be sought regarding the status of any such financial payment with regard to Health and Safety Executive guidance for diving at work<sup>2</sup>. If the principle of providing a financial incentive is accepted, then efforts must be made to ensure that the organisation administering such incentives is not subsequently liable for the actions, while undertaking HPA activity, of another organisation or individual.

### Project Recommendation:

- It is appropriate that there should be some form of financial or 'in-kind' incentive that is offered as a means to encourage stakeholder engagement with HPAs, help ensure their success, and to recognise stakeholder investment. This could take one of two forms:
  - Partial payment of costs (e.g. 50%) as a way of matching the financial investment of the heritage partner.
  - Provision of a 'pot' of money to which heritage partners could apply, receiving a grant to facilitate work done through the HPA scheme.
- Due to the potential for the provision of funding in relation to diving activities to raise questions over liability, it is suggested that consultation with the Health and Safety Executive is undertaken, if any of the proposed models for incentivisation are adopted.

## 6.5 HPA MANAGEMENT

It is presumed that adoption of the HPA methodology proposed in this report is likely to utilise several of the recommendations outlined in the preceding sections. These, and discussion with EH during Stage 1 and 2 have

<sup>2</sup> <http://www.hse.gov.uk/diving/volunteer-divers.htm>

emphasised the need for a formal management process to oversee specific factors of any subsequent HPA programme. Such management is likely to be multi-faceted and to include:

- Engagement and subsequent discussion with prospective heritage partners.
- Site-specific research prior to drafting an individual HPA with regard to factors such as marine spatial planning, ownership, archaeological significance, etc.
- Liaison with heritage partners following the signing of a HPA agreement.
- Ongoing collation of HPA data (e.g. reporting forms) as it is submitted by heritage partners.
- Regulation and quality assurance of material produced by heritage partners for archiving.
- Dissemination of results of work on HPA sites to the wider public.
- Administration of any incentivisation of the HPA programme.
- Administration of HPA review and interim meetings with heritage partner.

Discussion of some of these likely requirements with EH (e.g. possible incentive schemes) has indicated that EH would be reluctant to oversee their administration directly and would prefer it to be done through a third party. This in some ways would mirror the existing arrangement for the PWA where there is an archaeological contractor (currently Wessex Archaeology) that organises archaeological work and reports to EH on such work. But, also within the PWA, EH directly administers the process of licensee applications and annual licensee reports. This might be considered as more akin to the HPA process and so there are existing examples to illustrate both management routes.

The potential strength of any future HPA programme is likely to lie in the application of a relatively consistent task-list to archaeological work on a range of sites. Such work, and the data that derives from it is likely to only reach its full potential if it is relatively closely managed in a manner that assists heritage partners to produce data to a consistent standard and where that data is then disseminated to the general public in a uniform way. In other words, the strength of the HPA programme is likely to rest in the quantity of data produced, disseminated and analysed across all the sites involved. The dissemination of HPA material should take place in a centralised way, ideally through a web-based portal that reflects all of the sites involved, rather than being perceived as a collection of individual sites.

**Project Recommendation;**

- HPAs should be uniformly managed by a single party to ensure continuity in day-to-day management, collation of data and archiving of data. This may be directly by EH, or through contract to a third party organisation.
- Future public access to all data collected through HPAs should be made available through an open-access digital means.
- HPA stakeholders should be offered assistance to disseminate their work in the fullest possible way.

## **7 Conclusion**

The development of Heritage Partnership Agreements for undesignated heritage assets located in the marine zone represents an exciting and potentially innovative way to improve the future management of England's Underwater Cultural Heritage. Furthermore, it offers a clear way for EH to retain a strategic overview of management strategy, while engaging, and potentially encouraging members of the public, both professional and volunteer, who are prepared to take an active role in such management.

The HPA project has set out to review a wide range of existing schemes and appropriate guidance in formulating the draft methodology discussed in Section 3 and outlined in its final form in Appendix 1. The consultation stage of the project has indicated that such a methodology is considered both appropriate and workable by range of different stakeholders, including members of the public and heritage professionals alike.

A weakness of the present project has been the inability to engage an appropriate group to fully test the draft methodology on one of the five pilot sites. This seems to be a combined result of the type of sites selected and the lack (during the initial recruitment period) of any financial incentive/compensation for the time/investment that any prospective heritage partner would need to commit to partake in the scheme. Recommendations to mitigate these problems are outline in Section 6.2 and 6.4 respectively. As a result of this, it is clear that a further stage of heritage partner recruitment and methodology testing would be desirable to completely demonstrate the value of the project through application in the wider world.

Overall however, it is clear that the implementation of a future HPA programme within the marine zone has the potential to be extremely beneficial to the management of England's Underwater Cultural Heritage and to the appreciation of it by the general public to whom it belongs. The final recommendation of this project is therefore that the HPA programme should be continued, presumably as part of the National Heritage Protection Plan 2 when it is issued in 2015. In the first instance, the methodology set out here, including the recommendations regarding site selection and incentivisation of the scheme, should be given a further trial before being rolled out on a wider basis.

## 8 References

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## 9 Appendix 1: HPA Heritage Tasks

### HPA Tiered Task List: Entry Level (Class One)

Class	Task	Description	Benefit	Recording Level (EH) Equivalence	
Entry-level (Class One)	1.1	Desk-Based Research 1	Initial desk-based research to establish the presence, position and possible type/identification of the site	BASE	1a
	1.2	Photographic Survey	Non-Intrusive documentation of the site through a comprehensive photographic survey, recording the key features in addition to detailed attributes.	BASE	2a
	1.3	Video Survey	Non-Intrusive documentation of the site through a comprehensive video survey, recording the key features in addition to detailed attributes.	BASE	2a
	1.4	Biological Survey	Documentation and recording of site ecology allowing the completion of a SeaSearch Survey	BASE, INFO_DECAY	2a
	1.5	Archaeological Survey 1	Creation of a basic overview plan of the site. Probably as a measured sketch, rather than a full-scale archaeological survey.	BASE, DEV	2a
	1.6	Site Monitoring 1	Monitoring of site as a result of return HPA derived visits, allowing the basic site-plan to be updated and recording any sudden, noticeable or dramatic changes to the overall nature of the site.	BASE, INFO_DECAY, MONITOR	2a
	1.7	HPA Level 1 Report*	Provision of an annual report to EH describing the tasks undertaken and the primary outcome of the work undertaken.	RESOURCE	N/A
	1.8	Submission of data & report to ADS/OASIS*	Submission of all material/data gathered during the course of HPA task work to EH. Includes material such as photos or videos that are not included in the annual HPA report.	RESOURCE	N/A

\*Mandatory task, failure to complete signifies breach of HPA

Key	Outcome/Benefit
BASE	Creation of baseline knowledge relating to the site allowing the relative significance of the site to be more fully understood.
BASE_ENHANCE	Enhancement of the established baseline knowledge relating to the site, leading to a better understanding of the site and its relative significance.
BASE_DETAIL	Actions that lead to the inclusion of detailed information, not previously available, within the baseline knowledge of the site.
DEV	Action which facilitates the development of key skills by the heritage partner, ultimately building capacity within the underwater cultural heritage sector.
DISS	Dissemination of HPA output to the general public.
INFO_DECAY	Collection and provision of information which can inform upon any potential, apparent or on-going decay/degradation of the site.
INFO_PROV	Collection and provision of information which can inform upon possible future management of the site.
MANAGE	Task completion allows for the on-going provision for future site management via the incorporation of new knowledge about the site.
MONITOR	Action which allows the on-going, overall in-situ condition of the site to be assessed and compared to existing records.
RESOURCE	Enhancement of overall resource relating to underwater cultural heritage, allowing for wider potential appreciation of its value by the general public and other stakeholders.

## HPA Tiered Task List: Intermediate Level (Class Two)

Class	Task	Description	Benefit	Recording Level (EH) Equivalence	
Intermediate-level (Class Two)	2.1	Identification & Tagging of Primary Features	Installation of ID tags on identified key features on the site to facilitate future work, such as measured surveys.	BASE, MANAGE DEV,	2a
	2.2	Archaeological Survey 2	Non-intrusive survey, allowing the creation of a fully-scaled, measured, site plan, describing the extent and disposition of all of the main features of the site. Structural material should be recorded in full, but may not contain every facet of detail.	BASE_ENHANCE, DEV, MANAGE	3b
	2.3	Site Monitoring 2	Monitoring of site as a result of return HPA derived visits, allowing the scaled site-plan to be updated and recording any sudden, noticeable or dramatic changes to the overall nature of the site.	BASE_ENHANCE, INFO_DECAY, MONITOR	2a
	2.4	Site Risk-assessment	Completion of site risk-assessment in accordance with the guidelines set out by EH. Allows for the on-going provision of an effective management of the site.	BASE_ENHANCE, MANAGE	N/A
	2.5	Desk-based Research 2	Further, more developed, desk-based research into the site to allow a fuller understanding of its wider context and comparable material, leading to a developed appreciation of its archaeological potential and relative significance.	BASE_ENHANCE, DEV, MANAGE	5
	2.6	Internet Dissemination 1	Establishment of web-pages dedicated to the work undertaken through the HPA. To ensure consistency, these can potentially be hosted by EH and the heritage partner can submit material to a pre-arranged format.	DISS, DEV, RESOURCE	N/A
	2.7	HPA Level 2 Report*	Provision of an annual report to EH describing the tasks undertaken and the primary outcome of the work undertaken.	RESOURCE	N/A
	2.8	Submission of data & report to ADS/OASIS*	Submission of all material/data gathered during the course of HPA task work to EH. Includes material such as photos or videos that are not included in the annual HPA report.	RESOURCE	N/A

\*Mandatory task, failure to complete signifies breach of HPA

Key	Outcome/Benefit
BASE	Creation of baseline knowledge relating to the site allowing the relative significance of the site to be more fully understood.
BASE_ENHANCE	Enhancement of the established baseline knowledge relating to the site, leading to a better understanding of the site and its relative significance.
BASE_DETAIL	Actions that lead to the inclusion of detailed information, not previously available, within the baseline knowledge of the site.
DEV	Action which facilitates the development of key skills by the heritage partner, ultimately building capacity within the underwater cultural heritage sector.
DISS	Dissemination of HPA output to the general public.
INFO_DECAY	Collection and provision of information which can inform upon any potential, apparent or on-going decay/degradation of the site.
INFO_PROV	Collection and provision of information which can inform upon possible future management of the site.
MANAGE	Task completion allows for the on-going provision for future site management via the incorporation of new knowledge about the site.
MONITOR	Action which allows the on-going, overall in-situ condition of the site to be assessed and compared to existing records.
RESOURCE	Enhancement of overall resource relating to underwater cultural heritage, allowing for wider potential appreciation of its value by the general public and other stakeholders.

**HPA Tiered Task List: Advanced Level (Class Three)**

Class	Task Name	Description	Benefit	Recording Level (EH) Equivalence	
Advanced-level (Class Three)	3.1	Archaeological Survey 3	Creation of a complete archaeological survey of the site, building upon previous plans and incorporating a full range of archaeological detail to allow the fullest understanding of the site possible. The survey should include relevant sections/profiles of extant material in addition to a site plan. Areas of particular diagnostic interest may be selected for more detailed survey.	BASE_DETAIL, DEV, MANAGE	3a, 3b
	3.2	Archaeological Excavation	On the basis of the information recovered and the demonstrable competency of the heritage partner it may be desirable to undertake limited, targeted excavation in order to answer specific research questions relating to the site. These in turn should have a demonstrable benefit that clearly outweighs the potential loss of information that may result from excavation.	BASE_DETAIL, DEV, MANAGE	3c
	3.3	Site Monitoring 3a	Establishment of a series of monitoring points across the site which can subsequently be used to objectively assess the condition of key features and/or sediment levels.	DEV, MANAGE,	2a
	3.4	Site Monitoring 3b	Continuation of site monitoring 3a via repeat visits to site to allow measurement and/or observation of monitoring points.	BASE_DETAIL, DEV, MANAGE, MONITOR	2a
	3.5	Desk-Based Research 3	Extended desk-based research into the site to allow a fuller understanding of its wider context, archaeological potential and comparable material. This work should have the ability to inform directly upon the archaeological significance of the site.	BASE_DETAIL, DEV, MANAGE	5
	3.6	Internet Dissemination 2	Enhancement of web-pages dedicated to the work undertaken through the HPA. To ensure consistency, these can potentially be hosted by EH and the heritage partner can submit material to a pre-arranged format.	DISS, RESOURCE	N/A
	3.7	Published Dissemination	Dissemination of HPA work through a written publication such as an article for a journal, newsletter or magazine.	DISS, DEV, RESOURCE	N/A
	3.8	HPA Level 3 Report*	Provision of an annual report to EH describing the tasks undertaken and the primary outcome of the work undertaken.	RESOURCE	N/A
	3.9	Submission of Data & Report to ADS/OASIS*	Submission of all material/data gathered during the course of HPA task work to EH. Includes material such as photos or videos that are not included in the annual HPA report.	RESOURCE	N/A
	3.10	Archiving*	Formal archiving of project material with a registered publically accessible archive.	RESOURCE	N/A
*Mandatory task, failure to complete signifies breach of HPA					

Key	Outcome/Benefit
BASE	Creation of baseline knowledge relating to the site allowing the relative significance of the site to be more fully understood.
BASE_ENHANCE	Enhancement of the established baseline knowledge relating to the site, leading to a better understanding of the site and its relative significance.
BASE_DETAIL	Actions that lead to the inclusion of detailed information, not previously available, within the baseline knowledge of the site.
DEV	Action which facilitates the development of key skills by the heritage partner, ultimately building capacity within the underwater cultural heritage sector.
DISS	Dissemination of HPA output to the general public.
INFO_DECAY	Collection and provision of information which can inform upon any potential, apparent or on-going decay/degradation of the site.
INFO_PROV	Collection and provision of information which can inform upon possible future management of the site.
MANAGE	Task completion allows for the on-going provision for future site management via the incorporation of new knowledge about the site.
MONITOR	Action which allows the on-going, overall in-situ condition of the site to be assessed and compared to existing records.
RESOURCE	Enhancement of overall resource relating to underwater cultural heritage, allowing for wider potential appreciation of its value by the general public and other stakeholders.

## 10 Appendix 2: Draft HPA for the SS *Britannia*

### Heritage Partnership Agreement for the site of SS *Britannia* (1917)

V1 – July 2013

#### Part 1 – The Heritage Partnership Agreement

##### 1. Introduction

1.1 This Heritage Partnership Agreement concerns the seabed remains of SS *Britannia* (Not listed by the NRHE); a British screw-driven steamship of 762 gross tons that was torpedoed and sunk by a German U-Boat (UC-75) on 19<sup>th</sup> October 1917 with the loss of all 22 crew. At the time of sinking the vessel was owned by the Leith, Hull and Hamburg Line, later to become the Currie Line Ltd, which was dissolved in 2004. Current vessel ownership is therefore unclear but may rest with one of the sister companies to Currie Line Ltd. Ownership of the seabed in the area rests with The Crown Estate. For further background information on the site, see Annex 1.

1.2 The centre point of the site is currently considered to be at 50° 28.33' North, 001° 44.80' West (Datum: WGS84) (UTM E589188.55, N5577055.87). The site is at a depth of 37m and consists of the relatively coherent remains of the vessel.

1.3 This Tier 1 Heritage Partnership Agreement (HPA) is between the signatories listed below. It has been initiated by **EH** as a pilot study to test the viability of the use of HPAs in the marine zone of England. In the longer term, work of conducted through the HPA will help to inform **EH** of suitable on-going management policy for the site of SS *Britannia* and other vessels of a similar construction and date in broadly comparable marine environments.

##### 2 Definitions

No unusual definitions have been noted in regard to this HPA.

##### 3 Legislation

3.1 The site of SS *Britannia* is not subject to any heritage legislation. However, partners are reminded that all actions carried out as part of the agreement must comply with the Merchant Shipping Act (1994) and the Marine and Coastal Access Act (2009).

##### 4 Terms of the Agreement

4.1 This Heritage Partnership Agreement (HPA) was agreed on ..... and will run for a period of one year.

4.2 This HPA will be formally reviewed after a period of one year. An informal meeting may take place after three months, and/or six months.

4.3 Minor variations to the HPA should be agreed between all partners via email. Such emails should be retained by partners as a record of the agreement of the variation.

4.4 The **Heritage Partner** will inform **EH** of their proposed calendar periods for conducting work at the beginning of the diving season.

4.5 It is a requirement of the HPA that after each period of work, the **Heritage Partner** will complete and submit a reporting form (Appendix 1) to provide a summary of the work undertaken. An annual report detailing the objectives, nature and results of all of the work undertaken during a season of fieldwork should be submitted on a yearly basis, prior to the annual review meeting. Failure to meet this requirement will be considered a breach of the HPA.

4.6 It is a requirement of the HPA that during work on the site, the **Heritage Partner** will keep a detailed log of activity, using the forms provided (Appendix 2). This log, along with any related photographs, video, drawn or written records will be deposited as part of the site archive. A copy should also be retained by the **Heritage Partner**. Failure to meet this requirement will be considered a breach of the HPA.

**4.7** This HPA is a voluntary agreement and any of the partners may opt out of the agreement without penalty. It is however suggested that six weeks notice is given, by any partners wishing to voluntarily opt out of the HPA.

There is no penalty for any breach of the HPA under the present legislation, unless it equates to a breach of consent. There is no requirement for consent to work on the site of SS *Britannia* because it is an undesignated site.

If a breach in the agreement is identified then the partners will attempt to remedy the breach through reasonable communication. If the breach cannot be remedied then the HPA will be terminated at the next formal review or informal meeting.

**4.8** In the instance of any dispute between the agreement partners, it will be mediated by the Local Planning Authority

**4.9** Funding & Grants: At present no provision is in place for funding and grants towards HPAs.

## **Part 2 - The Conservation Framework**

There are no existing conservation frameworks that are applicable to the site of SS *Britannia*. But attention is drawn to the Project Planning Notes for marine investigation, available at <http://www.english-heritage.org.uk/publications/morphe-project-planning-note-8/>

## **Part 3 - Works which are subject to the Agreement**

The following types of work may be conducted as part of this agreement without the need for any consent or formal permission. It should however be noted that all work is intended to be undertaken in a non-intrusive manner that does not disturb or interfere with the site.

- I. **Archaeological Survey:** The creation of a basic overview plan of the site; either as a measured sketch, or as a fully scaled plan. This work may also incorporate the specific measurement of the dimensions of key features relating to the construction of the vessel. This work will contribute to the baseline knowledge relating to the vessel.
- II. **Photographic Survey:** Creation of a comprehensive visual record of the site as a means to document the general nature and condition of remains. Specific areas may be focussed upon and recorded in more detail as a means to inform future monitoring and comparison. Likewise, where previous work has recorded specific features, these may be returned to and recorded again. This work will contribute to the baseline knowledge relating to the vessel.
- III. **Video Survey:** Creation of a video record of the site to complement the photographic record and to provide an overall impression of the nature, extent and level of preservation of the seabed remains. This work will contribute to the baseline knowledge relating to the vessel.
- IV. **Ecological Survey:** Creation of a record of the ecology present on the site. This should be carried out through the Seasearch template, providing partners have undertaken the Seasearch training. This work will contribute to the baseline knowledge relating to the vessel.
- V. **Site Monitoring:** Return visits to the site may be undertaken to allow the completion of work listed above, or for the express purpose of monitoring the site. Changes to the disposition or physical nature of seabed remains should be noted, based on photographic, video or measured survey. This work will directly inform on the processes acting upon the site and help the management of the site in the future.

Additional work may also be undertaken in the form of desk-based research as a means to increase basic knowledge of the site and to provide further context to the work described above.

Full details of all HPA tiers and associated tasks are included in Annex 2.

*[Note: These can be found in Appendix 1 of this Report and therefore are not repeated again in Annex 2 within this Appendix].*

**Signatories**

**Heritage Partner:** .....

Name:

Signature:

**English Heritage**

Name:

Signature:

**Vessel Owner (if identified)**.....

Name:

Signature:

**INSERT Other Parties as required**

**1)**

.....

Name:

Signature:

**2)**

.....

Name:

Signature:

**3)**

.....

Name:

Signature:

**Date:**





Appendix 2. Template HPA Dive Log

# Archaeological Diving Log

# Heritage Partnership Agreements

Diver Name(s):		Date:
		Log No.:
Site:		Continued from:
Area:		Page of
Dive Duration:	UW vis:	UW tide:
Diving Equipment:		
Tools/ Equipment:		

**Working constraints (circle if applicable):**

*Cold      Tide      Swell      Access      Visibility      Other*

Details:.....

**Diving Task/Objectives:**


**Work Undertaken (tick all that apply):**

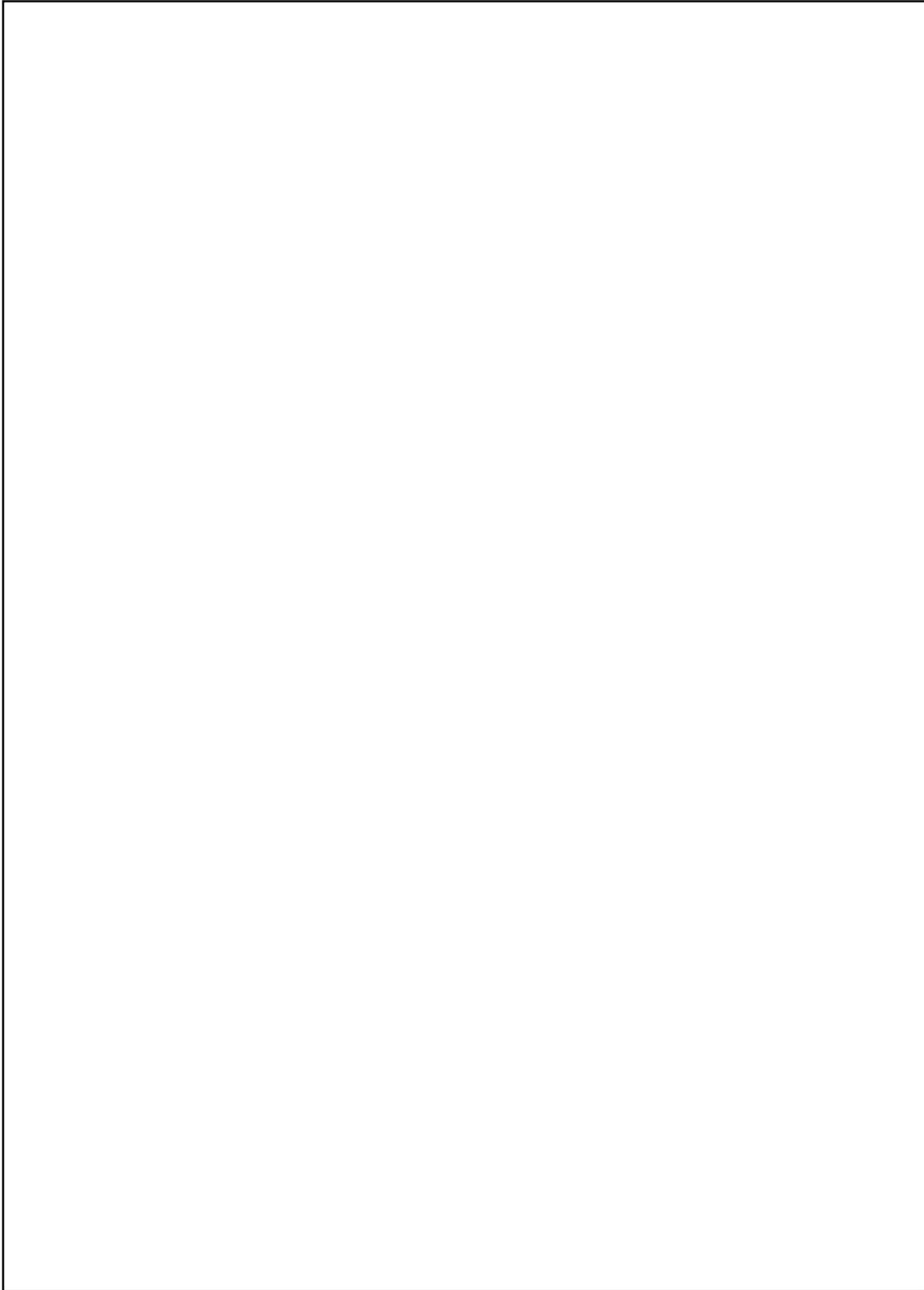
<i>Archaeological Survey</i>	<input type="checkbox"/>	<i>Photographic Recording</i>	<input type="checkbox"/>
<i>Monitoring Survey</i>	<input type="checkbox"/>	<i>VideoRecording</i>	<input type="checkbox"/>
<i>Artefact Recovery</i>	<input type="checkbox"/>	<i>Ecological Survey</i>	<input type="checkbox"/>

**Diving Outcome:**


**Details of any associated files (drawn, photo, video, etc):**


*Please Turn Over*

**Sketch (please number and attached any related sheets):**

A large, empty rectangular box with a thin black border, intended for a sketch. The box is currently blank.

### Appendix 3. References

- DCMS, 2010. *Scheduled Monuments. Identifying, protecting, conserving and investigating nationally important archaeological sites under the Ancient Monuments and Archaeological Areas Act 1979*. London: Department of Culture, Media and Sport.
- Dunkley, M. (ed.), 2008. *Protected Wreck Sites at Risk. A Risk Management Handbook*. London: English Heritage.
- English Heritage, 2012. *Designation Selection Guide. Ships and Boats: Prehistory to Present*. London: English Heritage.
- Wendes, D., 2006. *South Coast Shipwrecks. Off East Dorset and Wight, 1870-1979*. Eastleigh: Dave Wendes Publications.

## Annex 1. SS *Britannia* (1917): Baseline Information, Significance and Risk Assessment.

### A1.1 Summary

The site of the SS *Britannia* lies 24 kilometres SSW of the Needles and 24 kilometres ESE of St Albans Head. The wreck is located in 37m of water and is the remains of a British screw-driven steamship of 762 gross tons that was torpedoed and sunk by a German U-Boat (UC-75) on 19<sup>th</sup> October 1917. All of the crew of 22 were lost along with the vessel. At the time of sinking the vessel was en-route from Middlesborough to St Malo with a cargo of pig iron. The SS *Britannia* was built in 1889 by Hall, Russell & Co. Ltd at Aberdeen and was originally known as the *Earl of Aberdeen* (for further information see Wendes 2006: 108-9).

The loss of the vessel was shrouded in mystery for some time as the vessel did not emit any form of distress signal and disappeared without trace. The log of UC-75 recorded firing a torpedo at a lone steamer and that position is less than 1 mile from the seabed wreckage that fits the description of SS *Britannia*. However, despite the correlation in position and vessel type, the confirmed identity of those seabed remains as the SS *Britannia* have not been completely proved.

### A1.2 Archaeological Recording

#### Fieldwork

No archaeological work has been conducted on the site of the SS *Britannia*. Visits to the site have thus far been limited to those of sport divers.

#### Post-Fieldwork Processing

Historical research has been conducted by Wendes which has illustrated some of the related documentary evidence such as the log from UC-75 and contemporary photographs.

#### Publication and Dissemination

The loss of the SS *Britannia* is described by Wendes (2006: 108-9) in a volume covering shipwreck losses in the area. The site of the SS *Britannia* has been included in the online accessible database created by the HWTMA/MAT as part of the Archaeological Atlas of the 2 Seas Project.

### A1.3 Planning Considerations

Site Name: SS <i>Britannia</i>	
<b>MMO Plan Area Boundary:</b> South Inshore	<b>SMP:</b> N/A <b>Cell:</b> N/A <b>Policy:</b> N/A
<b>Planning Authority:</b> MMO	<b>HER:</b> Dorset/Isle of Wight
<b>International Designation:</b> N/A	<b>National Designation:</b> N/A
<b>Identified Users:</b> Sport Divers	<b>Consultees:</b> Receiver of Wreck Vessel Owner (if identified)
<b>IFCA:</b> N/A	<b>Aggregate/Offshore Energy:</b> Aggregate Dredge Route Round 3 windfarm area (Navitus Bay)

## A1.4 Archaeological Significance

Criteria (DCMS 2010)	Comments	Rating (Low-High)
<p><b>Period:</b> “all types of monuments that characterise a category or period should be considered for preservation.”</p>	<p>The SS <i>Britannia</i> was launched in 1889 and sank in 1917. In this regard the vessel spanned the Victorian, early 20<sup>th</sup> century and First World War period. This era witnessed dramatic changes and development in shipbuilding materials, technology and propulsion. At the time of its launch, the vessel would have epitomised new maritime technology; steel built and propelled by a triple expansion steam engine. In this regard, the SS <i>Britannia</i> straddles the final decline of the sailing merchant ship, the ascendancy of mechanical propulsion and bears witness to the First World War, itself an event of enormous global significance.</p>	<p><b>HIGH</b></p>
<p><b>Rarity:</b> “there are some monument categories which are so scarce that all surviving examples which still retain some archaeological potential should be preserved. In general, however, a selection must be made which portrays the typical and commonplace as well as the rare. This process should take account of all aspects of the distribution of a particular class of monument, both in a national and a regional context.”</p>	<p>There are numerous archaeological examples of vessels similar to the SS <i>Britannia</i> within the maritime archaeological record of England (see Group Value, below). Additionally, the First World War witnessed the greatest number of recorded shipping losses off Dorset and the Isle of Wight of any period. Many of these vessels were similar in their general design, construction and use to the SS <i>Britannia</i>. In this regard the vessel remains should not be considered as particularly rare.</p>	<p><b>LOW</b></p>
<p><b>Documentation:</b> “the significance of a monument may be enhanced by the existence of records of previous investigation or, in the case of more recent monuments, by the supporting evidence of contemporary written or drawn records. Conversely, the absence of documentation can make the potential of a monument more important as the only means of developing our understanding.”</p>	<p>A significant quantity of documentation is available for the SS <i>Britannia</i>, as would be expected for a vessel dating from such a recent period. Notably, this includes material from the U-boat responsible for sinking the vessel, as well as the usual builder’s records and Lloyds Register entries. Contemporary photographs also exist which give an extremely clear impression of the vessel’s overall disposition and nature. While such documentation is extremely useful, it is by no means unusual for a ship of this period and therefore not of particular or notable significance.</p>	<p><b>MEDIUM</b></p>
<p><b>Group Value:</b> “the value of a single monument (such as a field system) may be greatly enhanced by its association with related contemporary monuments (such as a settlement and cemetery) or with monuments of different periods. In some cases, it is preferable to protect the complete group of monuments, including associated and adjacent land, rather than to protect isolated monuments within the group.”</p>	<p>As noted above (Rarity), vessels such as the SS <i>Britannia</i> are relatively commonplace. While this may serve to lower their significance in terms of rarity, it offers a clear series of vessels that may be related to the SS <i>Britannia</i> for comparative purposes. This includes at least ten other similar vessels lost in the same general area within three months of the loss of the SS <i>Britannia</i> (see Wendes 2006: 97-135). Taken together, these vessels offer an insight into the potential variety of approaches to constructing vessels within a broadly similar building tradition at this time. To these may be added the 58 ships that were also sunk by UC-75 in the course of that vessel’s service.</p>	<p><b>HIGH</b></p>
<p><b>Survival/Condition:</b> “the survival of a monument’s archaeological potential both above and below ground is a particularly important consideration and should be assessed in relation to its present condition and surviving features.”</p>	<p>No archaeological condition survey of the vessel has been conducted. However, Wendes (2006: 108-9) reports that the vessel lies 4-5 metres clear of the seabed on its port side, with both the boilers displaced. UKHO records describe the vessel in 1988 as being ‘well-broken, lying partly on its side and partly upside down’ and in 2002 as partly broken and fairly well buried’. In this regard it may be suggested that a significant portion of the vessel remains <i>in-situ</i>. The condition of the remains is also unclear, however, their depth and relatively recent deposition means that they have the potential to be in good condition.</p>	<p><b>MEDIUM*</b></p>
<p><b>Fragility/Vulnerability:</b> “highly important archaeological evidence from some field monuments can be destroyed by a single ploughing or unsympathetic treatment; vulnerable monuments of this nature would particularly benefit from the statutory protection which scheduling confers. There are also existing standing structures of particular form or complexity whose value can again be severely reduced by neglect or careless treatment, and which are similarly well suited by scheduled monument protection.”</p>	<p>In the absence of any archaeological survey, the fragility and vulnerability of the vessel is also hard to gauge. The depth of the vessel suggests that it may be lying in a relatively low energy environment and the UKHO recorded that there was no visible scour around the wreck in 2002. The vessel’s location; in relatively deep water, well offshore means that it is unlikely to be a regular dive site for sport divers, although damage to the fabric of the site through casual salvage cannot be ruled out. Natural decline is therefore likely to be the greatest on-going threat to the integrity of the site.</p>	<p><b>LOW*</b></p>
<p><b>Diversity:</b> “some monuments may be selected for scheduling because they possess a combination of high quality features, others because of a single important</p>	<p>As noted above (Rarity &amp; Group Value), the SS <i>Britannia</i> is far from unique within England’s maritime archaeological record. Therefore, it does not add greatly to the diversity of the</p>	<p><b>LOW</b></p>

attribute.”	archaeological record, given the number of other similar vessels also available for study.	
<b>Potential:</b> “on occasion, the nature of the evidence cannot be specified precisely, but it may still be possible to document reasons anticipating its existence and importance and so to demonstrate the justification for scheduling. The greater the likelihood that such evidence will be revealed through archaeological investigation, the stronger will be the justification for scheduling.”	The SS <i>Britannia</i> represents an interesting archaeological site of a vessel type that may be seen as bridging the period between sail and steam and the late-industrial and modern worlds. The vessel is also representative of the sacrifice undertaken by the merchant navy during the First World War as part of the British war effort. So while the remains of the SS <i>Britannia</i> are neither unique as a type, nor exceptional in their completeness, it is still desirable for ships of this type to be preserved, studied and presented to the public as a means to remember and understand this period of British history. To this may be added the fact that the vessel is largely un-investigated from an archaeological perspective. The depth of the vessel may have allowed the preservation of artefacts or constructional features that have not survived elsewhere or which are not present in the associated historical documentation.	<b>MEDIUM</b>
<b>OVERALL ARCHAEOLOGICAL SIGNIFICANCE</b>		<b>LOW/ MEDIUM*</b>
* Cannot be fully assessed without a condition survey of the vessel remains		

### A1.5 Risk Assessment

The following site risk assessment draws upon the information presented in Sections A1.1 to A1.4. The final conclusions are made in accordance with and with reference to the approach set out by English Heritage (Dunkley, 2008).

<b>Wreck/Site Name</b>		<b>SI Number</b>													
SS <i>Britannia</i>															
<b>NRHE / UKHO No.</b>	<b>EH Region</b>	<b>Restricted Area</b>					<b>Principal Land Use</b>								
Not Listed	South East						Coastland 1								
<b>Latitude (WGS84)</b>	050 28.33N														
<b>Longitude</b>	001 44.8W														
<b>Class Listing</b>		<b>Period</b>					<b>Status</b>								
Wreck: Screw Steamer		World War One					Non-Designated shipwreck								
<b>Licensee</b>		<b>Nominated Archaeologist</b>					<b>Principal Ownership Category</b>								
N/A		N/A					C: Crown								
<b>Seabed Owner</b>		<b>Navigational Administrative Responsibility</b>													
A: Crown Estate		Nil													
<b>Environmental Designations</b>															
N/A															
<b>Seabed Sediment</b>		<b>Energy</b>													
Sandy gravel, overlying bedrock		Low													
<b>Survival</b>															
Good (condition survey required)															
<b>Overall Condition</b>		<b>Condition Trend</b>					<b>Principal Vulnerability</b>								
F: Unknown without condition survey		D: Unknown with condition survey					NAT, DEV, DIVE,								
<b>Amenity Value: visibility</b>															
A: Substantial above bed structural remains that are highly visible and 'legible' without further information															
<b>Amenity Value: physical accessibility</b>					<b>Amenity Value: intellectual accessibility</b>										
A: Full					C: No interpretation										
<b>Management Action</b>		D: Action to be identified/agreed													
<b>Management Prescription</b>		A	B	C	D	E	F	G	H	I	J	K	L	M	N
									X			X			
<b>Notes</b>															
The SS <i>Britannia</i> lies on a flat seabed in around 37-40m of water. The vessel lies on its port side, partially buried but with features such as boilers and engine clearly visible. The seabed around the site appears to be stable and of low energy, with no recorded scour. The extent of the surviving elements of the vessel, along with their overall condition, fragility and vulnerability is still not fully known. An archaeological condition survey would serve to remedy this.															
The site is located with the Navitus Bay Round 3 offshore wind farm area and so may be subject to developmental pressures in the coming years.															
List 17:															
H) The potential of the site may be realised through liaison between EH and stakeholders.															
K) A condition survey of the site is required in order for its significance to be fully understood and for its survival and fabric to be fully assessed.															
Overall Risk Assessment: LOW															

# Maritime Archaeology Trust

*The Maritime Archaeology Trust will promote interest, research and knowledge of maritime archaeology and heritage.*

The Maritime Archaeology Trust Policy Statement:

- Carry out maritime archaeological surveys, investigations and research in accordance with professional and museum codes of conduct and practice, the Institute for Archaeologists and the UNESCO Convention on the Protection of Underwater Cultural Heritage.
- Promote archaeological awareness and competence.
- Promote public awareness, enjoyment, education and participation in the maritime archaeological heritage.
- Support the publication of the results of maritime archaeological investigations, surveys and research.
- Liaise with other regional, national and international organisations involved in maritime archaeology and related disciplines.
- Provide maritime archaeological services to heritage agencies, local authorities and a wide range of marine operators.
- Support regional, national and international initiatives for improvements to the legislation regarding the preservation and management of the maritime archaeological heritage.
- Ensure that maritime archaeology plays an important role in coastal planning, management and policies.

## The Maritime Archaeology Trust

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Charity Registration Number 900025

*Images (top to bottom):* Inspecting a gun on the stern section of the SS *Serrana*, disseminating maritime archaeology to the next generation, augering to recover samples of Bronze Age palaeochannels in Langstone harbour, representing the Trust at the INTERREG annual event in Rotterdam.

