



## ENGLISH HERITAGE

Application for A LICENCE TO VISIT, SURVEY, RECOVER SURFACE ARTEFACTS from  
OR EXCAVATE a Designated Site under the Protection of Wrecks Act 1973.

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#### 1. General Considerations

Before issuing a licence to investigate an historic wreck designated under the [Protection of Wrecks Act 1973](#), the Secretary of State for Culture, Media & Sport (for English wrecks) and the relevant Ministers for these Devolved Administrations (for wrecks in Scotland, Wales and Northern Ireland waters) will wish to know why an applicant wishes to do so and, where any work is proposed, what is intended to result from that work.

#### 2. Best Practice

The UK Government has adopted the [Annex to the UNESCO Convention on the Protection of the Underwater Cultural Heritage 2001](#) as best practice for archaeology. This Annex comprises a series of ethical rules concerning activities directed at underwater cultural heritage which provide objective standards by which to judge the appropriateness of actions in respect of archaeology underwater. Licensees and Nominated Archaeologists must have due regard to the general principles of the Annex.

#### 3. When Applying for Licences

The following sections detail the application requirements for English Designated Wreck Sites. Additionally, please download the [Protection of Wrecks Act: Guidance for Divers and Archaeologists](#) (2007).



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It is particularly important that where intrusive investigation of a wreck site is proposed, that a detailed plan and explanation is produced in the form of why (a research design) and what (a project design).

In each case, **all applicants** should address the following issues as part of their licence application:

- Reasons for undertaking the project;
- Aims and objectives;
- Projected timetable (and consequent implications of ACHWS meeting timetable);
- Project personnel and/or named divers (including qualifications, experience and project responsibilities);
- Safety policy (including approved diving code of practice, vessel features, and boat handling).

To apply for a **Visitor Licence** all of the above and the following additional issues must be considered:

- Collaborating organisations;
- Visitor scheme proposal;
- Publicity plans.

To apply for a **Survey Licence** all of the above and the following additional issues must be addressed:

- Fieldwork strategy and methodology;
- Recording system;
- Equipment to be used;
- Research and analysis;



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- Publicity and publication plans;
- Eventual deposition and curation of records/project archive.

To apply for a **Surface Recovery Licence** all of the above and the following additional issues must be addressed:

- Find and sample recovery procedures;
- Immediate and long-term conservation arrangements;
- Eventual deposition and curation of recovered material;
- Ownership of recovered material.

To apply for an **Excavation Licence** all of the above and the following additional issues must be addressed:

- A clear articulation of the overarching research framework;
- Comprehensive site plans with proposed trenches indicated;
- Ownership of recovered material.

And close attention should be paid to:

- Find and sample recovery procedures;
- Immediate and long-term conservation arrangements;
- Eventual deposition and curation of recovered material and the project archive.

More detailed, and recommended, advice on project design specification can be found in [Management of Research Projects in the Historic Environment: The MoRPHE Project Managers' Guide](#) and [MORPHE for users of MAP2](#).

In addition, for **Excavation Licences** and to undertake intrusive investigations, it should be noted that consents may be required from the owner of the seabed, which around England



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& Wales is normally [The Crown Estate](#). A consent under the [Coast Protection Act 1949](#) is also likely to be required where activities involving the removal of materials from (or temporary deposits on) the seabed that may prejudice navigational safety. Similarly, the approval of a local harbour authority will normally be required where such activities are to take place within a harbour area.

A licence under the [Food & Environment Protection Act 1985](#) (FEPA) may also be necessary where excavated materials are to be re-deposited on the seabed or inter-tidal area from a vessel (e.g. using dredging or pump equipment), and in cases where other materials or temporary structures, such as supporting frames or coffer dams are to be used during the works. This kind of licence will not normally be required where material is to be excavated by hand. The Government agency handling such consents, the [Marine and Fisheries Agency](#) (MFA) can be contacted for further assistance.

#### 4. Referees

**All applicants** should make sure that referees are aware that they will be contacted by English Heritage as part of the application process. Similarly, where a nominated archaeologist is named in the licence application, it is crucial they are both aware of this role and that their advice is sought as part of the planning of the proposed project.

All referees will be approached by English Heritage to supply a character reference as well as confirmation that the applicant possesses the qualification and experience as stated in their application.



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##### 5. Standard Licence Conditions for England

Listed below are the standard conditions, which are placed on licences issued for protected wreck sites in English waters. Additional conditions may be placed on licences as necessary. For example, sites with more than one active Licensee may have the following additional condition placed on the licence:

- that the licensee will contact English Heritage prior to making any dive trips to the site.

A copy of these conditions, and the reasons for them, will be sent to all applicants with the application form. Successful applicants will also receive a copy of this list and any additional conditions, and the reasons for them, will be brought to their attention.

##### 5.1 Visitor Licences

- i) during the carrying out of the said operations the licensee does not tamper with or damage the said vessel and no objects whatsoever are recovered by them from the site;
- ii) the licensee will authorise and remain responsible for the supervision at all times of all divers participating in dives on the site;
- iii) dives will only be permitted when the licensee, or an authorised representative, is present at the site;
- iv) only non-intrusive photography is permitted;
- v) the licensee submit a report on the visitor dive programme including details of all those persons who participated in the dives, and also the safety aspects of the programme, to English Heritage no later than first weekday Friday in November;
- vi) diving must be carried out to an approved code of practice as indicated on the application form; and



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vii) any diving operations within the restricted area are carried out in accordance with the application submitted to English Heritage.

#### 5.2 Survey Licences

- i) the licensee submits a report on the progress of the said operations to English Heritage no later than first Friday in November;
- ii) a copy of the archive of the project be deposited at the National Monuments Record of England;
- iii) diving must be carried out to an approved code of practice as indicated on the application form;
- iv) any necessary consents from other marine regulating bodies must be obtained;
- v) during the carrying out of the said diving operations no objects are recovered; and
- vi) any diving operations within the restricted area are carried out in accordance with the application submitted to English Heritage.

#### 5.3 Recover Surface Artefacts

- i) during the carrying out of the said operation no objects are recovered from the site, without prior consultation and agreement with the Nominated Archaeologist\* and except where removal is necessary for the preservation of the object;
- ii) the licensee ensures that any objects recovered from the restricted area are given 'first aid' conservation treatment;
- iii) the licensee submits a report on the progress of the said operations to English Heritage no later than first weekday Friday in November;
- iv) a copy of the archive of the project be deposited with the National Monuments Record of England and the disposal of material remains is carried out according to the agreed project design;



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- v) diving must be carried out to an approved code of practice as indicated on the application form;
- vi) any necessary consents from other marine regulating bodies must be obtained; and
- vii) **any diving operations within the restricted area are carried out in accordance with the application submitted to English Heritage.**

#### 5.4 Excavation

- i) the licensee submits in advance a Project Design for the excavation according to English Heritage Archaeology Commissions and Institute of Field Archaeologist's Guidelines;
- ii) the licensee ensures that any objects recovered from the restricted area are given 'first aid' conservation treatment;
- iii) the licensee submits a report, countersigned by the Nominated Archaeologist\*, on the progress of the said operations to English Heritage no later than first weekday Friday in November;
- iv) a copy of the archive of the project be deposited with the National Monuments Record of England and the disposal of material remains is carried out according to the agreed project design;
- v) diving must be carried out to an approved code of practice as indicated on the application form;
- vi) any necessary consents from other marine regulating bodies must be obtained; and
- vii) **any diving operations within the restricted area are carried out in accordance with the application submitted to English Heritage.**

*\* If the Licensee is the Nominated Archaeologist this condition will be reworded appropriately*



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##### 6. Privacy

Your personal data is protected in the UK by the Data Protection Act 1998. Under this Act we will only process any data we hold about you in a lawful and fair manner. We will keep your data securely to prevent unauthorised access by third parties.

Your personal data may have to be disclosed if we are required to disclose it by law, or as a result of a lawful request by a governmental or law enforcement authority.

When personal information is collected it may be used by us to corroborate your identity and to enable us to provide you with the services we offer in conjunction with the application as well as to process and fulfil requests for information or advice.

We may share non-personal aggregate statistics (group) data with connected, or third parties. However, we do not sell or share any information outside English Heritage about you as an individual unless you agree to us doing so.

If you would like this document in a different format, please contact our  
Customer Services department:  
Telephone: 0870 333 1181  
Fax: 01793 414926  
Textphone: 01793 414878  
E-mail: [customers@english-heritage.org.uk](mailto:customers@english-heritage.org.uk)



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