

# **INSTITUTE FOR ARCHAEOLOGISTS**

## **EVIDENCE TO THE NORTHERN IRELAND ASSEMBLY'S**

### **COMMITTEE FOR THE ENVIRONMENT**

#### **1. Summary**

1.1 The Institute for Archaeologists (IfA) fully supports the introduction of a comprehensive system of marine spatial planning for the waters around Northern Ireland and welcomes the Marine Bill as a chance fully to integrate cultural heritage into marine management. However, IfA is concerned that, in some respects (most notably in the failure to allow Marine Conservation Zones to be designated upon archaeological or historic grounds), this opportunity has not been fully grasped.

#### **2. Introduction**

2.1 The Institute for Archaeologists (IfA) is the professional body for archaeologists and related professions concerned with the study and care of the historic environment. It promotes best practice in archaeology and provides a self-regulatory quality assurance framework for the sector and those it serves.

2.2 The IfA has over 3,000 members and more than 70 registered practices across the United Kingdom and abroad. Its members work in all branches of the discipline: heritage management, planning advice, excavation, finds and environmental study, buildings recording, underwater and aerial archaeology, museums, conservation, survey, research and development, teaching and liaison with the community, industry and the commercial and financial sectors.

2.3 This submission has been compiled with the assistance of the IfA's Maritime Affairs Group, to which most professional maritime archaeologists belong. The Group exists to

- advance the practice of maritime archaeology by promoting professional standards for the management, conservation, understanding and enjoyment of the maritime archaeological resource
- provide advice and commentary to the IfA on matters relating to maritime archaeology
- aid in the development of professional guidelines and standards for the execution of maritime archaeological work
- promote the training of archaeologists and others in maritime archaeological practice
- facilitate the exchange of information and ideas about maritime archaeological and to communicate these to the wider profession.

2.4 In the last 5 years IfA (in its own right or as a member of the Built Environment Forum Scotland (BEFS)) has submitted evidence with regard to Marine Bills in the United Kingdom to Scottish Parliament's Rural Affairs and Environment Committee, Westminster's Joint Committee on the draft Marine Bill and the National Assembly for Wales' Sustainability Committee.

### 3. General

3.1 The coastal and marine areas of Northern Ireland's coast harbour a vast wealth of cultural heritage with a rich and diverse archaeological record spanning the last 9,000 years. These include materials ranging from prehistoric flint tools and log-boats to historic harbour installations, Second World War shipwrecks and coastal defences. Its social, economic and environmental value is recognised in the UK Marine Policy Statement adopted jointly by the Northern Ireland Executive and other UK administrations in 2011.

3.2 IfA strongly supports the introduction of marine spatial planning in Northern Ireland's waters in accordance with the high level marine objectives agreed by the Northern Ireland executive including, under the title '*promoting good governance*', the objective that

*'The use of the marine environment is spatially planned where appropriate and based on an ecosystems approach which takes account of climate change and recognises the protection and management needs of marine cultural heritage according to its significance.'*

3.3 As such, consideration of the marine historic environment should be at the heart of plan-making and regulatory activity, but the failure to provide archaeological or historic grounds for designating a marine conservation Zone (MCZ) potentially undermines that objective. The inclusion of Historic Marine Protected Areas (HMPAs) in the Marine (Scotland) Act 2010 has demonstrated that such an approach is not only desirable but is also feasible.

### 4. Specific Comments

#### Part 2: Marine Planning

4.1 IfA welcomes the provisions relating to Marine Plans, and, in particular, the presumption in clause 6(1) as crucial components of an effective marine spatial planning system. The Institute further welcomes the express reference to characteristics '*of a historic or archaeological nature*' in clause 5(4).

#### Part 3: Marine Protection

4.2 Although the reference to '*sites ... of historic or archaeological interest*' is welcome in clause 12(8), this does not allow MCZs to be designated on historic or archaeological grounds. This is a significant omission which should be rectified. A further ground for designating an MCZ should be added after clause 12(1) as follows:

*'12(1)B The Department may make an order under section 11 designating an area as an MCZ if it thinks that it is desirable to do so for the purpose of preserving a marine historic asset which is, or which it is satisfied may be, located in the area'*

4.3 Marine historic asset should be defined as follows:

*'For the purposes of this Part, a marine historic asset is any of the following—*  
*(a) a vessel, vehicle or aircraft (or a part of a vessel, vehicle or aircraft),*  
*(b) the remains of a vessel, vehicle or aircraft (or a part of such remains),*  
*(c) an object contained in, or formerly contained in, a vessel, vehicle or aircraft,*  
*(d) a building or other structure (or a part of a building or structure),*

*(e) a cave or excavation,  
(f) a deposit or artefact (whether or not formerly part of a cargo of a ship) or any other thing which evidences, or groups of things which evidence, previous human activity'*

and a requirement inserted to identify preservation objectives for the asset and the area.

4.4 Furthermore, references to MCZs throughout the Bill should be replaced by references to Marine Protected Areas (MPAs) (as is the case in the Marine (Scotland) Act 2010) in order to make clear that such areas are not intended solely for the management and protection of the natural environment.

4.5 Consequential revision will also be required, for instance, to refer to '*conservation or preservation objectives*' in clauses 20-22 and to deal with offences relating to marine historic assets.

## **5. Recommendations**

5.1 IfA recommends that the Committee offers its support to the intentions of the draft Marine Bill to introduce a new system of planning and management in the Northern Ireland's marine zone.

5.2 IfA urges the Committee strongly to recommend that the Bill be amended to refer to MCZs as Marine Protected Areas and to include provisions allowing such areas to be designated on historic or archaeological grounds.