

# Historic shipwrecks

A GUIDE FOR VISITORS, INVESTIGATORS AND MANAGERS



## FOREWORD

The wrecks of numerous historic ships can be found on the seabed around the coasts of Scotland. Many are popular tourist attractions and they contribute to our history. This finite and non-renewable resource reflects the important role that the sea has played in the history of Scotland, providing a source of food and energy, a means of defence from invasion, and a springboard for trade and communication between neighbouring communities and across oceans.

In order to help secure the long-term future of the most important historic wreck sites, including against inadvertent or deliberate damage, Scottish Ministers can afford them statutory protection by designation under the Protection of Wrecks Act 1973 or as scheduled monuments under the Ancient Monuments and Archaeological Areas Act 1979.

Historic Scotland, an executive agency of the Scottish Government, recommends historic wrecks for scheduling or designation and controls operations and works to them through legal consent procedures.

*Left: Aberlady Bay – the remains of eight fishing boats, dating to the late 19th or early 20th century, can be found on the foreshore near Kilspindie, Aberlady Bay. These wrecks are protected as scheduled monuments.*

*© Crown Copyright. Historic Scotland.*

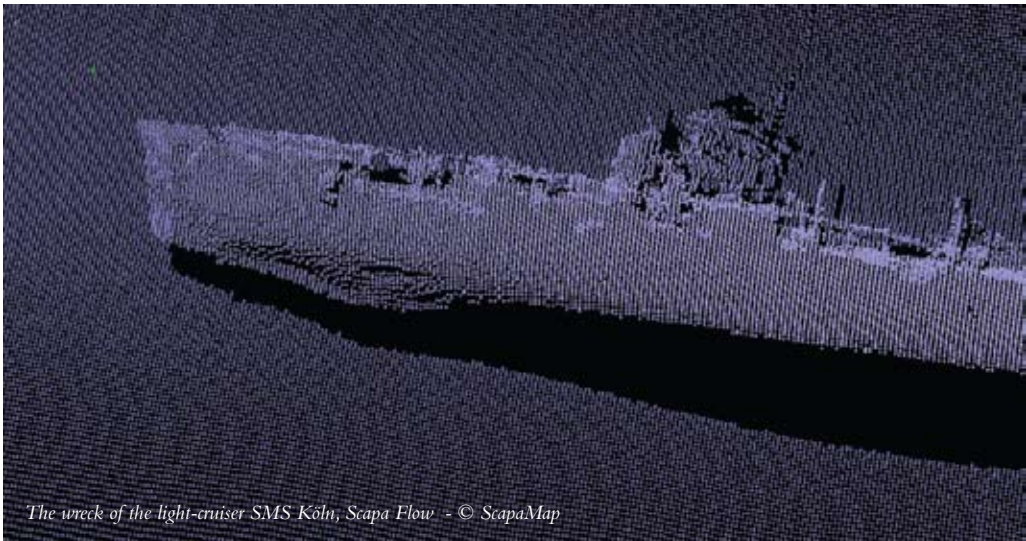
*Cover images: right - Duart image of diver with gun 000-000-110-646-C: © Colin Martin. Licensor ww.scran.ac.uk; top left - Kinlochbervie cannon/anchor © Philip Robertson; bottom left - Scapa Flow multibeam image: © ScapaMap*

## SCOTLAND'S HISTORIC WRECKS

A **designated wreck site** is a historic shipwreck afforded statutory protection under the Protection of Wrecks Act 1973 on which particular controls apply as set out in this guide.

Around the coast of Scotland, designated wreck sites include 17th-century warships, a 17th-century Dutch merchant trading vessel and *HMS Campania*. Once a Blue-Riband winning transatlantic liner, *Campania* was converted by the Admiralty in 1915 as a Fleet Air Arm carrier. The first flight from an aircraft carrier with a permanent flight deck took place on 5 May 1915 from her deck.

The seven remaining wrecks of the German High Seas Fleet scuttled in Scapa Flow, Orkney in 1919 are protected as **scheduled monuments**. No licence from Historic Scotland is required to dive on a wreck that is scheduled, though divers must 'take only photographs, and leave only bubbles'. However, the prior written consent of the Scottish Ministers is required for a wide range

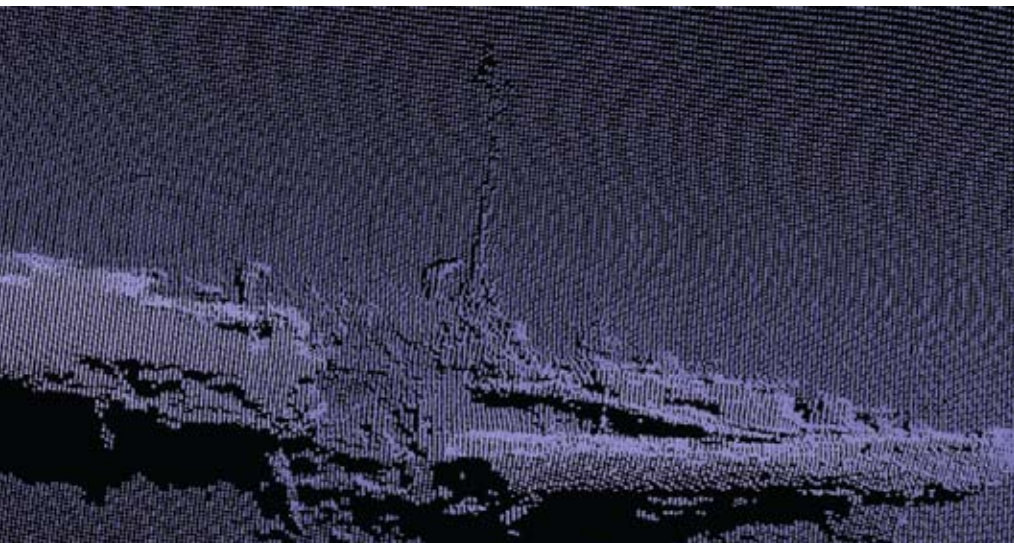


*The wreck of the light-cruiser SMS Köln, Scapa Flow - © ScapaMap*



*HMS Campania in 1917 - 000-000-586-769-C: © The Scotsman Publications Ltd., Licensor [www.scran.ac.uk](http://www.scran.ac.uk)*

of works which might have an affect on scheduled monuments. For more information on scheduling, see Historic Scotland's separate guide: *Scheduled Monuments: a Guide for Owners, Occupiers and Managers*.



## THE DESIGNATION PROCESS (PROTECTION OF WRECKS ACT 1973)

Section 1 of the Protection of Wrecks Act 1973 gives Scottish Ministers the powers to declare historic wrecks and the sites of wrecks in Scotland's territorial waters (out to 12 nautical miles) as protected areas. Historic Scotland deals directly with all matters affecting 'designated wreck sites' on behalf of Scottish Ministers.

Designation decisions under the Protection of Wrecks Act 1973 are discretionary, usually following a field assessment, consultations with relevant parties and recommendations from a UK-wide Advisory Committee on Historic Wreck Sites.

Historic Scotland assesses historic wrecks for designation according to their historic, artistic or archaeological importance, applying agreed 'significance criteria' to ensure that only the most significant sites are protected, where statutory protection will make a difference.

A pan-UK contract for archaeological services in support of the 1973 Act provides Historic Scotland with advice and archaeological assessment to inform designation and to facilitate the management and understanding of existing designated wreck sites.



*A diver from the UK-wide archaeology services contract  
© Philip Robertson*

## WHICH OF SCOTLAND'S HISTORIC WRECKS ARE PROTECTED?

PASTMAP <[www.pastmap.org](http://www.pastmap.org)> is a website where you can display and search information on Scotland's historic environment. It is map-based and includes current information about the location and extent of all scheduled monuments. The legal documentation for scheduled sites can be downloaded from PASTMAP.

Historic Scotland's website also allows you to search for scheduled monuments and designated wreck sites and provides access to GIS data delineating the extent of the protected areas <[www.historic-scotland.gov.uk/heritage](http://www.historic-scotland.gov.uk/heritage)> It also provides site descriptions (including the legal documentation) for the designated wreck sites.

If you do not have access to the web then you can request this information from us.

Admiralty Charts show information about designated wreck sites for sea users.



*A site description map showing the location of the designated wreck of HMS Dartmouth and the extent of the protected area  
©Historic Scotland licence 100017509 (2009)*

## APPLYING FOR A LICENCE

A licensing regime controls activities on designated wreck sites so that these important historic sites are not put at risk from undisciplined activities or investigation. Anyone can apply to Historic Scotland for a licence which will be issued if it will be of benefit to the care, understanding or public appreciation of the site.

Historic Scotland issues four types of licence for the Protection of Wrecks Act 1973:

- the **Visitor licence** is sufficient where an applicant's primary motive is to 'look but not touch'
- a **Survey licence** covers non-intrusive investigations such as photography, geophysical survey, measuring, drawing, and biological recording
- a **Surface Recovery licence** allows recovery of archaeological material exposed on the seabed that can be removed without significant disturbance of any underlying archaeological material or sediments
- an **Excavation licence** is required for more serious disturbance of the site. This includes collection of samples for analysis and removal of sediments by excavation.

You apply for a licence by completing an application form that is available from the Historic Scotland website or from the Historic Scotland Inspectorate. It is best to discuss your proposals with the Inspector before submitting an application for a licence. Historic Scotland does not charge for applications or advice. Once you have completed your form, you should post it to the address given on the form.

The UK-wide Advisory Committee on Historic Wreck Sites provides independent scrutiny on and advice to Historic Scotland on applications for licences. Historic Scotland will inform you of the results of your application in writing.



*A licensed diver visiting the Duart Point designated wreck site -  
000-000-110-700-C: © Colin Martin. Licensor [www.scran.ac.uk](http://www.scran.ac.uk)*

## CARING FOR SCOTLAND'S HISTORIC SHIPWRECKS

Historic Scotland encourages public appreciation of, and involvement, in the recording and conservation of the underwater heritage. If you are visiting an underwater site, Historic Scotland suggests that you follow an established code of conduct such as the Respect Our Wrecks code of practice for wreck divers. Should you wish to actively participate in recording projects, you can gain the necessary skills and participate in organised projects, for example those run by the Nautical Archaeology Society.

If you find an object or wreck that you think may be of historic importance, Historic Scotland suggests a three step approach in the first instance:

- **record** the position of your site and as many details about it as you can.
- **respect** what you find and do not disturb the site.
- **report** your discovery to the Receiver of Wreck, and the Royal Commission on the Ancient and Historical Monuments of Scotland.

By following these suggestions, you will help to facilitate further investigation, to increase knowledge and understanding, and allow Historic Scotland to assess the site for statutory protection if necessary.



*Remains of a seaman's chest from the Duart Point wreck -000-000-110-645- © Colin Martin. Licensor [www.scran.ac.uk](http://www.scran.ac.uk)*

## REPORTING FINDS

If you do recover wreck material from the seabed, no matter how small or seemingly insignificant, you must report your recoveries to the Receiver of Wreck under the terms of the Merchant Shipping Act 1995.

On designated and scheduled historic wrecks, as well as the wrecks of all aircraft crashed in military service and designated vessels afforded statutory protection by the Ministry of Defence under the Protection of Military Remains Act 1986, other restrictions apply.

## CONTACTS

### About designated wreck sites and scheduled monuments

Please email your enquiries or write to us at our address below:

Historic Scotland Inspectorate  
Longmore House, Salisbury Place  
Edinburgh, EH9 1SH

Tel: +44 (0) 131 668 8766

[www.historic-scotland.gov.uk/index/heritage.htm](http://www.historic-scotland.gov.uk/index/heritage.htm)

[hs.inspectorate@scotland.gsi.gov.uk](mailto:hs.inspectorate@scotland.gsi.gov.uk)

### About reporting discoveries

To report new discoveries, please contact:

The Royal Commission on the Ancient and Historical Monuments of Scotland  
John Sinclair House, 16 Bernard Terrace  
Edinburgh, EH8 9NX

Tel: +44 (0) 131 662 1456

[www.rcahms.gov.uk](http://www.rcahms.gov.uk)  
[info@rcahms.gov.uk](mailto:info@rcahms.gov.uk)

### About finds reporting under the Merchant Shipping Act 1995

To report recovery of items of 'wreck', please contact:

The Receiver of Wreck  
Maritime Coastguard Agency  
Spring Place, 105 Commercial Road  
Southampton, SO15 1EG

Tel: +44 (0)2380 329 474

[www.mcga.gov.uk/row](http://www.mcga.gov.uk/row)  
[row@mcga.gov.uk](mailto:row@mcga.gov.uk)

### About the Protection of Military Remains Act 1986

For enquiries about shipwrecks and the Protection of Military Remains Act 1986, please contact:

Ministry of Defence  
CNS-Heritage 1, South Office Block  
HMNB Portsmouth  
PO1 3LU

Tel. 023 92 720548

Fax 023 92 727358

[2slcsheritage1@a.dii.mod.uk](mailto:2slcsheritage1@a.dii.mod.uk)

## Administrative grievances

The Scottish Public Services Ombudsman Act 2002 provides a simple and effective means for members of the public to make complaints about maladministration and service delivery arising from the activities of public authorities in Scotland.

A complaint can be made by an aggrieved person (or their representative including an MSP or local councillor) within 12 months of the day after the aggrieved person had notice of the matter of complaint. You can contact the Ombudsman at the following address:

The Scottish Public Services Ombudsman  
Freepost EH641  
Edinburgh  
EH3 0BR

[enquiries@scottishombudsman.org.uk](mailto:enquiries@scottishombudsman.org.uk)

## FURTHER INFORMATION

Publications available from the Historic Scotland website include:

- Scottish Historic Environment Policy ([www.historic-scotland.gov.uk/shep.pdf](http://www.historic-scotland.gov.uk/shep.pdf))
- Scheduled Monuments: a Guide for Owners, Occupiers and Managers ([www.historic-scotland.gov.uk/scheduled-monuments.pdf](http://www.historic-scotland.gov.uk/scheduled-monuments.pdf))
- Guidance for divers and archaeologists on the Protection of Wrecks Act 1973 ([www.historic-scotland.gov.uk/historic-wreck-guidance-notes-for-divers-and-archaeologists.pdf](http://www.historic-scotland.gov.uk/historic-wreck-guidance-notes-for-divers-and-archaeologists.pdf))
- Grants for archaeology projects – a guide for potential applicants to Historic Scotland’s Archaeology Programme ([www.historic-scotland.gov.uk/archaeology\\_grants\\_guide\\_to\\_applicants-2.pdf](http://www.historic-scotland.gov.uk/archaeology_grants_guide_to_applicants-2.pdf))

Publications available from Historic Scotland:

- *Managing Scotland’s Archaeological Heritage. A Guide to the Management of Archaeological Sites for Owners, Land Managers and Others*
- Joint Nautical Archaeology Policy Committee, *Underwater Finds, guidance for divers*
- Joint Nautical Archaeology Policy Committee, *Code of Practice for Seabed Development*

Tel: 0131 668 8766

[hs.inspectorate@scotland.gsi.gov.uk](mailto:hs.inspectorate@scotland.gsi.gov.uk)

**Publications available from others:**

- Respect Our Wrecks Code of Practice for Wreck Divers  
([www.bsac.org/page/627/wreck-divers-code.htm](http://www.bsac.org/page/627/wreck-divers-code.htm) )
- Annual reports for the Advisory Committee on Historic Wreck Sites  
([www.english-heritage.org.uk](http://www.english-heritage.org.uk))

**You can read more about the legislation mentioned here in:**

- The Protection of Wrecks Act 1973
- The Ancient Monuments and Archaeological Areas Act 1979
- The Ancient Monuments (Class Consents) (Scotland) Order 1996
- The Protection of Military Remains Act 1986

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