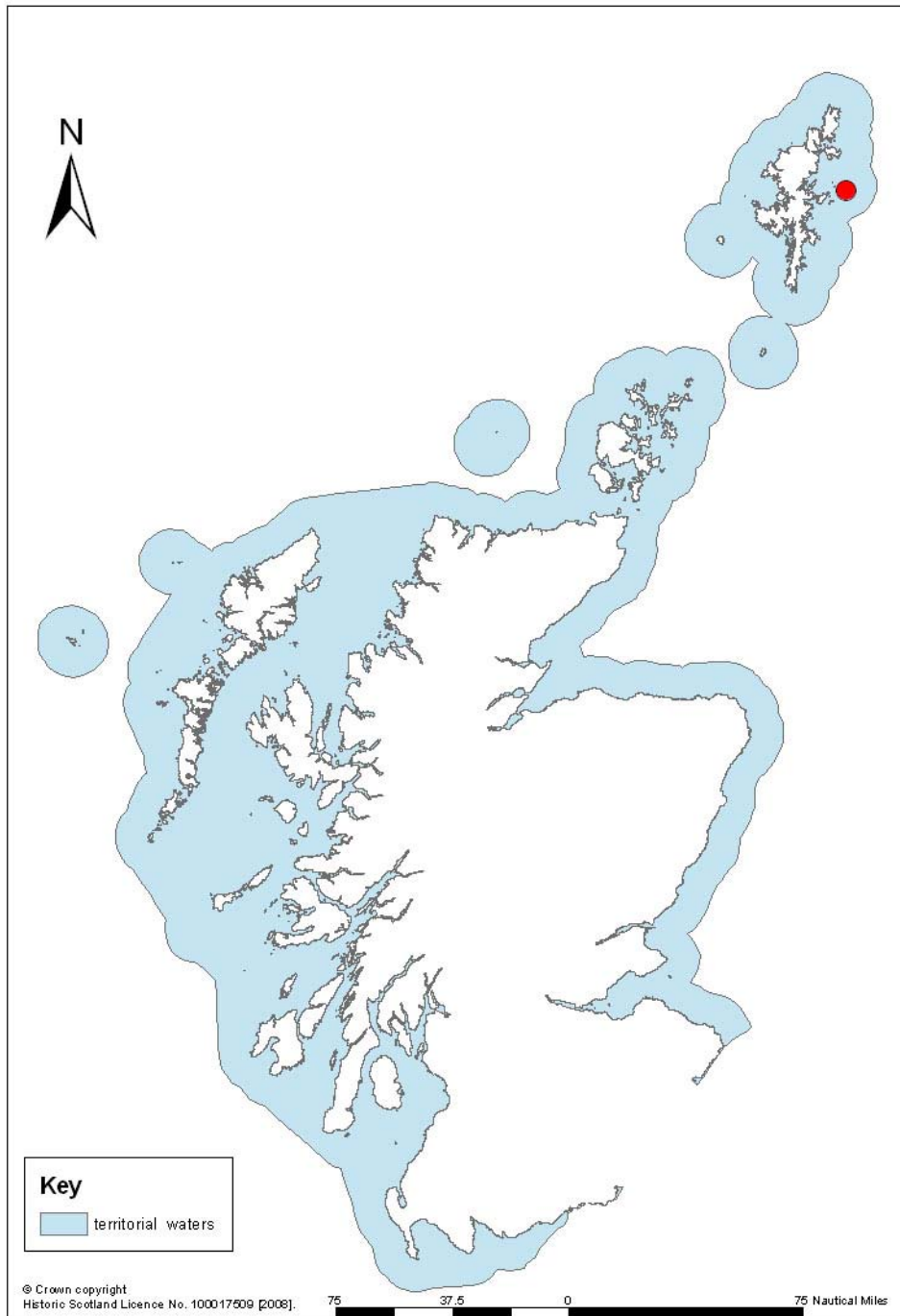


## Scotland's designated wreck sites (Protection of Wrecks Act 1973)

*Kennemerland, Stoura Stack, Out Skerries, Shetland*



8 May 2008

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## 1. Introduction

1.1. This document provides information relating to an historic wreck that has been afforded statutory protection under Section 1 of the Protection of Wrecks Act 1973.

1.2. This wreck has been designated under the 1973 Act on the basis that it is or may prove to be the site of a vessel lying wrecked on or in the sea bed; and (b) on account of the historical, archaeological or artistic importance of the vessel, or of any objects contained or formerly contained in it which may be lying on the sea bed in or near the wreck, the site ought to be protected from unauthorised interference.

1.3. The 'Statutory Instrument' in Annex A identifies the location of this designated wreck site and the extent of the restricted area used to protect the site (see also section 4).

1.4. The 1973 Act controls activities by a licensing regime, so that these important historic wrecks are not put at risk from undisciplined activities or investigation. It is a criminal offence to do any of the following in a designated area without a licence issued by Scottish Ministers:

- tamper with, damage or remove any part of a vessel lying wrecked on or in the seabed or any object formerly contained in such a vessel;
- carry out diving or salvage operations directed to the exploration of any wreck or to removing objects from it or from the seabed, or use of equipment constructed or adapted for any purpose of diving or salvage operations. This includes deployment of remotely operated vehicles;
- deposit anything including anchors and fishing gear which, if it were to fall on the site, would obliterate, obstruct access to, or damage any part of the site; and
- to cause or permit any of the above activities to be carried out by others, without a licence, in a restricted area.

1.5. Where a person is authorised by a licence, it is an offence for any other person to obstruct them, or cause or permit them to be obstructed, in doing anything which is authorised by the licence.

1.6. Bathing, angling and navigation are permitted within a restricted area provided there is no likelihood of, or intention to, damage the wreck or obstruct work on it. Anchoring on the site is only permitted for licensed activities or in cases of maritime distress.

## 2. Further guidance

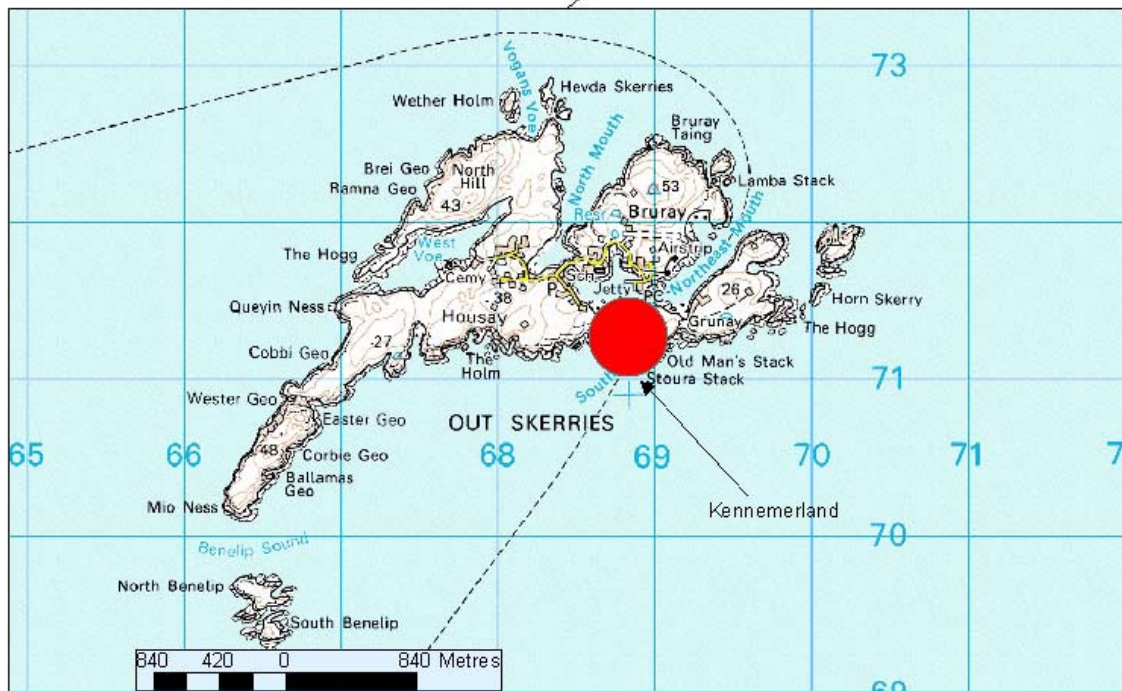
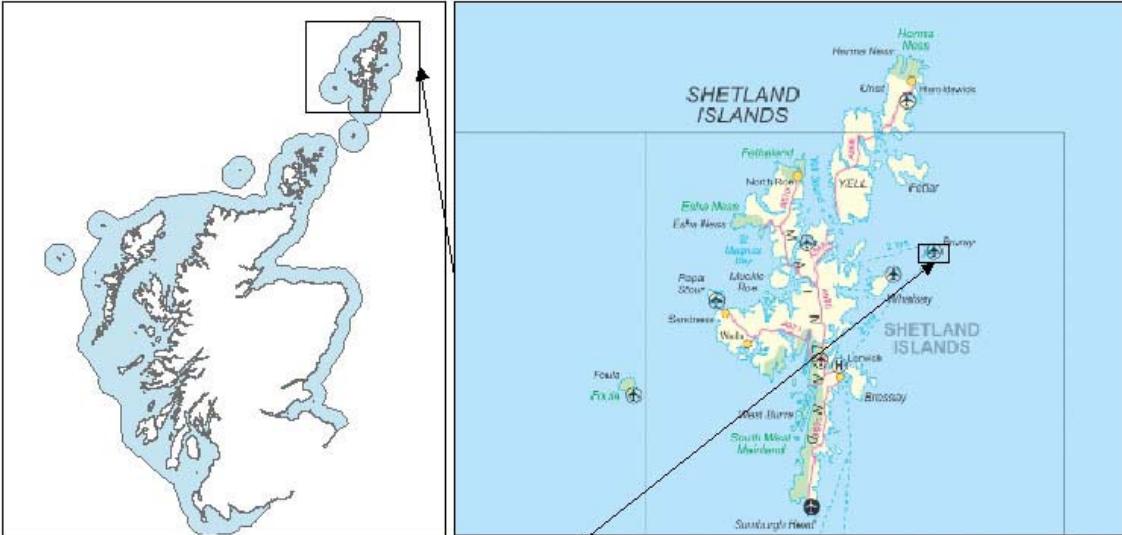
2.1. Licence application forms and guidance for divers and archaeologists in relation to the Protection of Wrecks Act 1973 are available online at <http://www.historic-scotland.gov.uk/index/heritage/wrecksites.htm>



### 3. Summary

<b>Site name</b>		<i>Kennemerland</i>	
<b>RCAHMS Reference number</b>		HU67SE 8001	
<b>General information</b>			
<i>Location</i>	<i>Year of discovery</i>	<i>Discovered by</i>	<i>Date of sinking</i>
In the Voe north of Stoura Stack, Out Skerries	1971	Aston Sub Aqua Club	20 December 1664
<b>Description of wreck site</b>			
<p>The wreck of <i>Kennemerland</i>, an armed merchant vessel belonging to the Dutch East India Company. <i>Kennemerland</i> left Texel (Holland), outward-bound to Batavia in the East Indies. Her cargo included a consignment of treasure and mercury, clay pipes, tobacco-boxes, golf clubs and jewel goods (for private trade), and brick/ingot ballast. The site was subject to survey and excavation during the period 1971-87.</p>			
<b>Description of site environment</b>			
<p>The site is a harsh, high-energy environment exposed to the south. The remains from the wreck are scattered over a wide area within the voe, from the beach at Bruray to the exposed seabed around Stoura Stack. No ship structure has so far been identified.</p>			
<b>Designation summary</b> (see annex for Statutory Instrument)			
<i>Designation order</i>	<i>Latitude (OSGB 36 datum)</i>	<i>Longitude (OSGB datum)</i>	36
The Protection of Wrecks (Designation No.3) Order 1978	60 25 12N	00 45.0 W	
<i>Site marker(s)</i>	<i>Date designated</i>	<i>Exclusion zone radius (m)</i>	
Currently none	1 June 1978	250	
<b>Further information</b>			
<i>Published references</i>			
Foster, W A and Higgs, K B 1973, 'The Kennemerland, 1971: an interim report', <i>International Journal of Nautical Archaeology</i> (IJNA) <b>2:2</b> , 291-300.			
Price, R A and Muckelroy, K 1974, 'The second season of work on the Kennemerland site', 1973, <i>IJNA</i> <b>3:2</b> , 257-268.			
Price, R A and Muckelroy, K 1977, 'The Kennemerland site: the third and fourth seasons, 1974 & 1976', <i>IJNA</i> <b>6:3</b> , 187-218.			
Muckelroy, K 1978, <i>Maritime Archaeology</i> Cambridge.			
Price, R A and Muckelroy, K 1979, 'The Kennemerland site: the fifth season, 1978', <i>IJNA</i> <b>8:4</b> , 311-320.			
Price, R A and Muckelroy, K and Willies, L 1980, 'The Kennemerland site: a report on the lead ingots', <i>IJNA</i> <b>9:1</b> , 7-25.			
Dobbs, C and Price, R A 1991, 'The Kennemerland site: the sixth and seventh seasons, 1984 & 1987, and the identification of five golf clubs', <i>IJNA</i> <b>20:2</b> , 111-122.			

#### 4. Location and extent of protected area

### Kennemerland, Stoura Stack, Out Skerries, Shetland



<p><b>Key</b></p> 	<p>Extent of protected area as defined in the Statutory Instrument</p>		<p>This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. Historic Scotland Licence No. 100017509 [2008].</p>
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## 5. Statement of significance

### Period

From its establishment by the Dutch government in 1602 until its dissolution in 1799, the Dutch East India company furthered Dutch trading interests in the Indian ocean. The wreck of *Kennemerland* is a representative 17th-century example of an outward-bound merchant vessel engaged in trade with the East Indies.

### Rarity

At least eleven vessels of the Dutch East India company have been recorded as lost in Shetland. A 'north-about route' round Scotland was often chosen to avoid contrary winds in the Channel and also the warships of the Royal Navy during times of conflict. Five such wrecks have been located. What is significant about this site is that it is one of the few not to have suffered extensively from salvage interest, and which has been investigated in a systematic manner by archaeologists.

### Documentation

The surviving archives of the Dutch East India company are extensive and their ships, voyages and cargoes are well-documented, including those of the *Kennemerland*. The records of the excavations, involving pioneering studies into site formation processes carried out by the late Keith Muckelroy, offer an important insight into the early development in Britain of the subject of nautical archaeology (see summary). Licensed archaeological work on this site has been comprehensively published in academic journals together with more accessible accounts for popular consumption. Finds, and copies of site documentation have been passed to Shetland Museum.

### Group value

This site is one of two 17th-century designated wreck sites located on the isolated Shetland archipelago of Out Skerries. The wreck of *Kennemerland* should also be considered in the context of other East India company wrecks in Shetland's waters, and indeed with Dutch East India company wrecks lost elsewhere around the British Isles.

### Survival/condition

The *Kennemerland* sank in a harsh, high-energy environment. Investigations have traced a debris trail from an initial impact on Stoura Stack to the isle of Trolsome (a distance of some 200m). With the exception of some fragments of timber and rope preserved in small protected pockets of sediment or in concretion, no evidence of the ship fabric has been found. Most of the artefacts so far excavated from the site are of robust material (e.g small finds such as pewter golf-club heads, ceramics, lead and brass tobacco-boxes and large finds such as iron guns and anchors).

### Fragility/vulnerability

Judging from the range of finds already excavated from this site and from the preservation conditions identified by investigation, it is likely that further scattered evidence will exist within the voe, and that there may also be some buried archaeological deposits in isolated pockets. Where appropriate burial conditions

exist, these deposits will have reached a degree of equilibrium with their natural environment but they will be at risk if the seabed is disturbed.

### **Diversity**

Armed merchant vessels belonging to the Dutch East India company were a relatively common class of vessel in the 17th and 18th centuries and many have been lost around the British Isles. The *Kennemerland* is an earlier example of a wreck of a Dutch East India ship than other such wrecks afforded statutory protection under the Protection of Wrecks Act 1973 such as the 18th-century *Amsterdam* and *Rooswijk*. However, the site of *Kennemerland* has not yielded evidence for hull structure.

### **Potential**

Although archaeological investigation of this site has been spread over a long period, the excavations have been relatively small scale and so it is likely that the potential for surviving archaeological evidence is high.

### **Summary and conclusions**

The wreck of *Kennemerland* is worthy of protection under the Protection of Wrecks Act 1973 because it is of very significant historical and archaeological importance, not only within a Scottish and British context, but also within an international context. The site retains the potential to add knowledge to our understanding of the trade and operations of the Dutch East India company during the 17th century. The wreck of the *Kennemerland* also provides important evidence to enhance our understanding of the trans-national patterns of trade that existed around the Shetland Islands, given their geographical position, in such a way as to significantly enrich appreciation of the maritime histories of this island group.

## Annex – Statutory instrument

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STATUTORY INSTRUMENTS

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1978 No. 664

**PROTECTION OF WRECKS**

**The Protection of Wrecks (Designation No. 3)**

**Order 1978**

<i>Made - - - -</i>	<i>4th May 1978</i>
<i>Laid before Parliament</i>	<i>11th May 1978</i>
<i>Coming into Operation</i>	<i>1st June 1978</i>

The Secretary of State, being satisfied that the site identified in Article 2 of this Order is, or may prove to be, the site of a vessel lying wrecked on or in the sea bed and that on account of the historical and archaeological importance of the vessel the site ought to be protected from unauthorised interference, after consulting with the persons referred to in section 1(4) of the Protection of Wrecks Act 1973(a), in exercise of the powers conferred on him by section 1(1), (2) and (4) of that Act and of all other powers enabling him in that behalf, hereby orders as follows:—

1.—(1) This Order may be cited as the Protection of Wrecks (Designation No. 3) Order 1978 and shall come into operation on 1st June 1978.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

2.—(1) The site in respect of which this Order is made is hereby identified as the site where a vessel lies, or may prove to lie, wrecked on or in the sea bed at Latitude 60° 25' 12" North Longitude 0° 45' 0" West.

(2) The area within a distance of 250 metres of Latitude 60° 25' 12" North Longitude 0° 45' 0" West, but excluding any part of that area which lies above high-water mark of ordinary spring tides, shall be a restricted area for the purposes of the Protection of Wrecks Act 1973.

4th May 1978.

*Stanley Clinton Davis,*  
Parliamentary Under-Secretary of State,  
Department of Trade.

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(a) 1973 c. 33.

(b) 1889 c. 63.

EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order designates as a restricted area for the purposes of the Protection of Wrecks Act 1973 an area in the South Mouth of the Out Skerries, Shetland Isles round the site of the wreck, or what may prove to be, the wreck of the vessel "Kennemerland" which is of historical and archaeological importance.