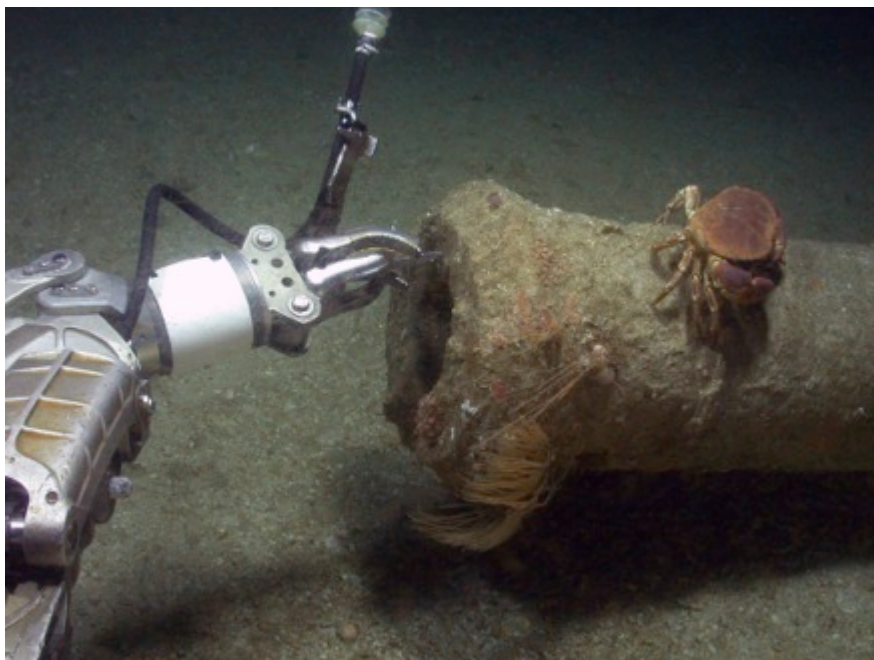




## **PROJECT DESIGN**

# **A MITIGATION STRATEGY FOR THE WRECK OF THE FIRST RATE WARSHIP VICTORY (1744)**

## **NON-TECHNICAL SUMMARY & KEY MANAGEMENT PRINCIPLES**



**Prepared by the Maritime Heritage Foundation  
for the UK Ministry of Defence**

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## NON-TECHNICAL SUMMARY

The *Victory* was a First Rate English warship of 100 guns launched in 1737 and wrecked in the Western English Channel on 5 October 1744. The site was discovered by Odyssey Marine Exploration in April 2008. It is the only wreck of a First Rate English warship discovered underwater worldwide.

Following a public consultation concerning the *Victory* conducted in March 2010 by the Ministry of Defence and the Department of Culture, Media and Sport, a contract dated 12 January 2012, and signed by the Secretary of State for Defence transferred to the Maritime Heritage Foundation:

- a) “every part of the said vessel; and
- b) all that is connected with her which is situated in the immediate vicinity of where she is lying (save insofar of personal property not belonging to the Crown).”

Four years of site monitoring between 2008-12 identified high risks to the surface archaeology, including cannon looting, dragging and bronze surface abrasion by bottom fishing and natural erosion. This Project Design proposes a mitigation strategy for the site based on preservation of record, recovery of the surface artefacts at risk, phased and targeted excavation and consideration of strategies for the *in situ* preservation of exposed hull remains.

The English Channel comprising the historical Narrow Seas is a particularly significant sealane that is pivotal to understanding the maritime history, archaeology and sense of identity of the British Isles. The Maritime Heritage Foundation considers it to be a key legacy to present and future generations that this heritage is protected and enhanced by measures appropriate to the *Victory* site’s harsh environment and importance.

Access to and the study of shipwrecks in deep seas outside territorial waters is a relatively new discipline, which is not subject to the same legal or regulatory regimes that apply to wrecks in territorial waters. No academic or heritage organisation in the UK has initiated a deep-sea project in or adjoining the UK outside territorial waters. Such studies bring new management challenges that are not necessarily compatible with methods and techniques appropriate to shallow waters.

Left unexamined the *Victory* will be subjected to ever-increasing erosion and loss of irreplaceable data and values. *In situ* preservation, other than for potential sub-surface structural remains, is not considered a sustainable means of sharing the site’s values or safeguarding its long-term conservation.

The wreck of the *Victory* is inaccessible to the public, at risk from irretrievable loss and a societally marginalised resource. The Maritime Heritage Foundation is committed to an exemplar research and rescue-oriented mitigation initiative based on the management principle of securing maximum primary data and expanding knowledge through the dissemination of scientific and education values.

A comprehensive non-disturbance survey was completed in 2012 and its results disseminated in scientific publications. This cutting-edge fieldwork exemplifies the standards anticipated to be achieved by the project.

The Maritime Heritage Foundation intends to make the collection’s artefacts available in exhibition form, detailed scientific publications and through the virtual dive trail launched in 2013 ([www.victory1744.org](http://www.victory1744.org)).

The structure of this Project Design is based jointly on Rules 9-10 of the Annex of the UNESCO Convention on the Protection of the Underwater Cultural Heritage (2001) and the *Standard and Guidance for Archaeological Excavation* (IfA, 2008: 3.2.17).

The project complies with the archaeological principles of the Annex of the UNESCO Convention. The artefact assemblage from the wreck will be retained as a unified archive pursuant to the collection policy of the Maritime Heritage Foundation, taking into account its obligations under the wreck's Deed of Transfer.

The *Victory* project is in line with Government strategy on heritage as defined in *UK Marine Policy Statement* (HM Government, March 2011: 2.6.6.2, 2.6.6.3):

“The historic environment of coastal and offshore zones represents a unique aspect ~~of the historic environment~~ ~~and its cultural value~~, it is an asset of social, economic and environmental value. It can be a powerful driver for economic growth, attracting investment and tourism and sustaining enjoyable and successful places in which to live and work. However, heritage assets are a finite and often irreplaceable resource and can be vulnerable to a wide range of human activities and natural processes... Opportunities should be taken to contribute to our knowledge and understanding of our past by capturing evidence from the historic environment and making this publicly available, particularly if a heritage asset is to be lost.”

## KEY MANAGEMENT PRINCIPLES

This Project Design summarises the holistic vision of the Maritime Heritage Foundation for the *Victory* Shipwreck Project, presenting the overall concept for the project, including fieldwork, curation, archiving, funding, public outreach and publication.

### Implementation

A set of Key Management Principles has been formulated in consultation with the UK Ministry of Defence Advisory Group, whereby the Maritime Heritage Foundation (MHF) agrees:

1. MHF is responsible for the timely implementation of the Project Designs and for the management of the wreck site and any material recovered therefrom pursuant to the conditions of the Terms and Conditions of the Transfer of Title from the MoD dated 12 January 2012.
2. MHF assumes the responsibility for obtaining any relevant consents and for the conduct of its contractors and sub-contractors for their adherence to conditions contained in relevant consents obtained pursuant to a Project Design.
3. The proposals formulated within this Project Design align with relevant professional and sector standards and guidance.

### Reporting Programme

4. MHF will provide the Advisory Group with regular reports, at a frequency to be determined, for any works that are agreed should be undertaken on the wreck site.
5. Such reports will include as a minimum:
  - Details of methods and techniques used, with relevant guidance/standards;
  - Results achieved;

- Artefacts and non-artefactual evidence and remains recovered with proposals for their conservation;
- Basic graphic and photographic documentation;
- Recommendations for future activities;
- Recommendations/plans for the future management and public display of any artefactual and non-artefactual evidence recovered;
- Plans for the publication and dissemination of any work undertaken;
- Specific recommendations and plans for the appropriate reburial of any human remains accidentally recovered.

### **Human Remains**

6. The *Victory* Shipwreck Project will adhere to the *Guidance for Best Practice for Treatment of Human Remains Excavated from Christian Burial Grounds in England* (English Heritage & the Church of England, 2005). Respectful deposition will be arranged through consultation with the Joint Casualty and Compassionate Centre (JCCC) of the MoD.<sup>1</sup>

7. Activities at the wreck site will avoid the unnecessary disturbance of human remains. Wherever possible, human remains will be left *in situ*.

8. The MHF agrees that any human remains will be treated at all times with the utmost respect and sensitivity and to use its best endeavours not to disturb them and to minimise any disturbance that proves to be inevitable, and will ensure that its contracts and agents abide by this. Any human remains that are unavoidably disturbed will be documented *in situ* following the same contextual recording procedures applied to all other cultural remains on the wreck site.

9. Should human remains be accidentally retrieved, the Ministry of Defence (Navy Command) will be immediately notified. Further treatment of such remains will be as directed by Navy Command.

10. No photographic or other images of human remains will be published, and no publicity material will refer to any human remains associated with the wreck without prior written authorisation from Navy Command.

11. Human remains will not be considered as artefacts under the terms of the Project Design or this framework.

### **Landing of Artefacts**

12. Except where maritime emergency or stress of weather necessitate otherwise, the MHF and its contractors and sub-contractors will land any recovered artefacts at a site within the United Kingdom or the Channel Islands. The MHF will be responsible for ensuring that a declaration of any such items is made to the Receiver of Wreck under the provisions of the Merchant Shipping Act 1995 or any succeeding legislation.

13. The MHF is responsible for the appropriate storage, treatment and conservation of their recovered artefacts and will ensure that the Advisory Group and/or its representatives have access to the storage facility upon demand.

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<sup>1</sup> In line with *Human Remains from Wreck Sites: a Proposed Policy for Consultation* (English Heritage, 2013).

### **Treatment of Recoveries**

14. Archaeological material recovered from the wreck site of *Victory* 1744 under the authorisation of the Maritime Heritage Foundation, and the associated archive including site plans, drawings and photographs, will form the 'Victory 1744 Collection' and will be subject to the following conditions:

15. In managing the Collection, the MHF will abide by the Museums Association's *Code of Ethics for Museums* (2008).

16. All such recovered archaeological material and its associated archive should remain together as a single assemblage wherever possible.

17. The Collection will be managed in line with the archaeological principles of the UNESCO Convention on the Protection of the Underwater Cultural Heritage, including Rule 2 to the Annex.<sup>2</sup>

18. Where the disposal of any material from the Collection is proposed, the archaeological principles of the Annex to the UNESCO Convention and the Museums Association's Code of Ethics will be applied.

19. Any decision to dispose of archaeological material from the Collection by the Maritime Heritage Foundation will not be made without full consideration of the merits of the case, taking into consideration appropriate advice from the Advisory Group and requiring the written consent of the Secretary of State for Defence.

20. In exceptional circumstances where consent is given to the disposal of the archaeological material from the Collection, it shall normally be limited to the transfer of such material to an accredited museum or a body registered as a charity in England and Wales or Scotland, rather than to private individuals or organisations.

### **Acknowledgements**

This Project Design was written by Dr. Sean Kingsley in collaboration with Neil Cunningham Dobson and Frederick Van de Walle. Guidance was provided by Lord Lingfield, the Trustees of the Maritime Heritage Foundation, and Dr. Margaret Rule, CBE, Ivor Noël Hume, OBE, and Commander John Bingeman of the Foundation's Scientific Advisory Committee. Dr. Douglas McElvogue of TrenDarc advised on

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<sup>2</sup> Rule 2 of the UNESCO Convention states that "the commercial exploitation of underwater cultural heritage for trade or speculation or its irretrievable dispersal is fundamentally incompatible with the protection and proper management of underwater cultural heritage. Underwater cultural heritage shall not be traded, sold, bought or bartered as commercial goods. This Rule cannot be interpreted as preventing: a) the provision of professional archaeological services or necessary services incidental thereto whose nature and purpose are in full conformity with this Convention and are subject to the authorization of the competent authorities; b) the deposition of underwater cultural heritage, recovered in the course of a research project in conformity with this Convention, provided such deposition does not prejudice the scientific or cultural interest or integrity of the recovered material or result in its irretrievable dispersal; is in accordance with the provisions of Rules 33 and 34; and is subject to the authorization of the competent authorities."

elements of the Project Design's structure and content. Cannon specialists Charles Trollope, FSA, and Nico Brinck advised on the formulation of the 'HMS *Victory* Cannon Recording Sheet' templates.