

Mick Bates
Chair, Sustainability Committee
National Assembly for Wales
Cardiff Bay
Cardiff
CF99 1NA

23rd January 2009

Dear Mr Bates,

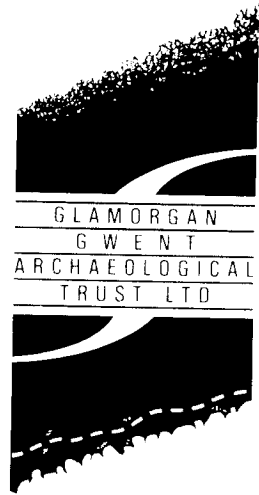
Marine Bill

Thank you for providing the opportunity to contribute the Sustainability Committee's consultation on the Marine Bill in the light of recent developments. The Glamorgan-Gwent Archaeological Trust is one of the four Welsh Archaeological Trusts, and provides archaeological advice to the unitary authorities of Blaenau Gwent, Bridgend, Caerphilly, Cardiff, Merthyr Tydfil, Monmouthshire, Neath Port Talbot, Newport, Rhondda Cynon Taff, Swansea, Torfaen and the Vale of Glamorgan.

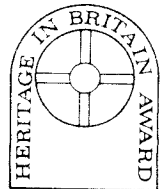
Upon receiving the draft Bill for comment in 2008, we were surprised that almost all mention of the historic environment had been dropped from the draft Bill, in spite of the fact that it figured in the White Paper, and that the marine environment, as defined in Clause 169 of the Bill (page 209 line 36 of the draft), includes 'features of archaeological or historic interest in [marine or coastal] areas'. We subsequently understood that the Marine Bill was to be considered in tandem with the Heritage Protection Bill, into which had been inserted the necessary provisions for the protection of such features, and were content that the historic environment would be adequately protected in the new legislative programme. However, with the dropping of the Heritage Protection Bill, this no longer applies, and we believe that efforts must be made to repair this omission.

The relationship of Wales to the sea has always been an important one. From earliest times the marine environment has been exploited by its people as a source of food, as evidenced shell middens and fish-traps which are still to found along the coast and in the inter-tidal zone, dating from the prehistoric period onwards. The existence of a long coastline has enabled Wales to carry out an international trade independently of England, well documented since the Middle Ages and graphically illustrated by the Newport ship. It was this maritime trade, with the import of copper-ore, that enabled Swansea to become the world leader in non-ferrous metal processing in the 18th and 19th centuries. As a result, the Welsh marine environment contains a highly important archaeological resource, not only in the shape of wrecks at sea, but also sites in the coastal zone such as fish-traps, cliff-top settlements, scuttled ships, and the standing and buried remains of ports and other waterfronts. It also includes whole drowned landscapes of prehistoric and later date, probably best exemplified in Welsh cultural tradition by Cantref Gwaelod in Cardigan Bay, but also including very important inter-tidal areas of the Severn Estuary and Swansea Bay.

The Marine Bill's purpose, as stated in the Impact Assessment is '*sustainable development of the marine and coastal area*' (p 3 box 2), and '*to maximise the benefits from the seas and coasts whilst preserving their integrity for the future – achieving a holistic approach*' (p 9 paragraph no.14). It will be impossible for it



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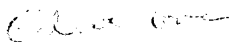
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to achieve these aims if the historic environment is ignored – either the archaeology of the marine and coastal area will risk damage by the activities regulated in the Bill, or a separate layer of legislation will be required to protect them. In the first case, the Bill will not fulfil its purpose to preserve the integrity of the seas and coasts. In the second case, the planning system will remain fragmented, with ‘conflicts...only identified at the licensing and decision-making stage’ (p 63 paragraph no.231) and the Bill will not fulfil its purpose to ‘identify conflicts in advance and then take steps to address these before any significant investment is made’. The historic environment is recognised on p 114 as forming a part of the cultural heritage. Cultural heritage is included amongst the categories considered where ‘potentially the value derived...[from the Bill] could be large’ (Impact Assessment p 60 paragraph no.213). This value, however, cannot be derived unless further steps are taken to ensure that it is.

In terms of cultural heritage, we would note that whilst there is implicit recognition that historic material culture is worthy of protection, this does not always seem to extend to the cultural traditions that created the archaeology. These are fishing using hand-held nets (coracles and lave fishing) and fixed nets and traps such as the putchers of the Severn Estuary. Within the last century and a half, these traditional fishing methods, some which have been shown by archaeology to go back unbroken to prehistory have been subjected to a determined programme of discrimination in favour of fly-fishing, a comparatively recent introduction with no deep roots in the Welsh way of life. This ancient tradition should be a matter of celebration, but has instead been allowed to be destroyed along with the traditional crafts associated with it; there is now a real prospect that the last generation of fishermen using these techniques may die out without the opportunity of passing on their very considerable skills. The repeal of all earlier measures in favour of the new Marine Bill should give the opportunity for a rethink of what value we in Wales place on our heritage, not only cultural value but also potentially the commercial value derived from tourism. Issues about the size of the catch should be dealt with by limitation rather than elimination.

The importance of maritime heritage of all types can be seen by the popularity of the National Waterfront Museum, but it is important that every effort should be made to preserve it in situ as far as possible. It is therefore our opinion that proper provision should be made in the Bill for the protection of the historic environment. This should include the expansion of grounds for designating MCZs to encompass ‘features and areas of archaeological importance’ along with the flora, fauna, habitats, geological and geomorphological interests already identified.

Yours sincerely,



Dr E M Evans
Heritage and Outreach Manager