



Ein cyf/Our ref:PO/2023/68

Huw Irranca-Davies, Chair
Legislation, Justice & Constitution Committee
Senedd Cymru
Cardiff Bay
CF99 1SN

1 March 2023

Dear Huw,

HISTORIC ENVIRONMENT (WALES) BILL

Further to my appearance before the Committee and your subsequent letter of 15 February, I am pleased to be able to set out further details about our plans to review the legislation for the marine historic environment.

As the Committee has heard from our evidence, that of the Law Commission and of Dr Roberts of Bangor University, the marine historic environment is complex and encompasses much more than wrecks. A complex web of legislation affords protection to the marine historic environment which ranges from submerged prehistoric landscapes to modern military remains. The directly relevant current legislation includes the:

- Protection of Wrecks Act 1973
- Ancient Monuments and Archaeological Areas Act 1979
- Protection of Military Remains Act 1986
- Merchant Shipping Act 1995, and
- Marine and Coastal Access Act 2009

The Government agrees with recommendation 6 of the Committee's report on its Initial Consideration of the Bill that a review of the legislative protection afforded to the marine historic environment is needed. Such a review will be a substantial undertaking because of the diverse nature of the historic assets involved, the increasing demands on the marine historic environment and the complex character of the protective frameworks in place. In addition, the management of activities in Welsh waters is split between devolved functions and functions retained by UK Government.

To undertake the review effectively the Welsh Government will need to gather evidence, engage with stakeholders and thoroughly evaluate the existing legislation. Cadw will look to work with the Royal Commission on the Ancient and Historical Monuments of Wales and other public bodies to develop the evidence base to inform the review. Our aim is to assess the effectiveness of the existing legislation by the end of 2024.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

The next steps following that review, whether non-legislative or legislative, will need to be considered along with other Welsh Government priorities at that time. In the meantime, I can reassure the Committee that the existing legislative frameworks, including the Protection of Wrecks Act 1973, will continue to provide protection to the marine historic environment.

Yours sincerely,

A handwritten signature in blue ink, reading "Mick Antoniw". The signature is written in a cursive style and is positioned above a short horizontal blue line.

Mick Antoniw AS/MS

Y Cwnsler Cyffredinol a Gweinidog y Cyfansoddiad
Counsel General and Minister for the Constitution