

HE 55

Y Pwyllgor Cymunedau, Cydraddoldeb a Llywodraeth Leol/

Communities, Equality and Local Government Committee

Bil yr Amgylchedd Hanesyddol (Cymru)/Historic Environment (Wales) Bill

Ymateb gan: Amgueddfa Cymru

Response from: National Museum Wales

## **Historic Environment (Wales) Bill: a response from Amgueddfa Cymru – National Museum Wales**

### **Our Organisation**

Amgueddfa Cymru - National Museum Wales comprises National Museum Cardiff including the National Museum of Art and the National Museum of Natural Sciences; St Fagans: National History Museum; the National Roman Legion Museum (Caerleon); the National Waterfront Museum (Swansea); the National Slate Museum (Llanberis); the National Wool Museum (Drefach-Felindre) ; Big Pit: National Coal Museum (Blaenafon) and the National Collections Centre (Nantgarw).

### **Response to the Historic Environment (Wales) Bill within its terms of reference**

General principles of the Bill (More effective protection to listed buildings and scheduled monuments; enhancing existing mechanisms for the sustainable management of the historic environment; greater transparency and accountability).

We support the above principles, and welcome the extension of legislation to provide more effective protection to listed buildings and scheduled ancient monuments. We also welcome the definition of the meaning of monument to include ‘*any site in Wales ... comprising any thing, or group of things, that evidences previous human activity*’.

We also welcome the proposed independent panel to advise on historic environment policy and strategy as a national level in Wales. We would seek reassurance that this expert advice covers matters pertaining to maritime heritage and developments in this field beyond Wales in adjacent territorial waters.

#### *Metal detecting (sections 16-17)*

We welcome the intention to place the onus on detectorists to ‘have taken all reasonable steps to find out whether the place in which the metal detector was used was a protected place’; success and support for this amongst the detecting community will depend on clear and accessible guidance on where such information can be readily found. The responsibility of landowners in ensuring that any detectorists they are permitting to detect their land are aware of such provisions needs to be clearly understood.

In the Guidance Notes Section 17, paragraph 111 protected Places ‘in areas of archaeological importance’ are referred to, but a clearer definition of how ‘area of archaeological importance’ is defined for the purposes of this Bill should be provided.

Barriers to implementation of the Bill’s provisions.

We have no comment to make on this issue.

## **Unintended consequences**

One unintentional consequence of reading the Bill may be a perception of the 'Historic Environment' risks only in terms of the largely terrestrial focus of the Bill. The focus of the supporting guidance is similarly weighted to the land, and reference should be made to other relevant legislation (e.g. Protection of Wrecks Act 1973; Protection of Military Remains Act 1986), to raise awareness of this area of the historic environment. We are entering an era of ever greater offshore and coastal developments, and a consequent increase in risk to our submerged historic environment. Maritime sites are covered by an extremely complex web of legislation in which loopholes exist, and in which salvage law is pre-eminent in the reporting of sites and material of historic significance. It is important for information on this submerged historic environment to be effectively incorporated into HERs and the National Monuments Record, particularly if this maritime heritage is to be effectively cared for. The provision of the Bill to extend provisions of the Ancient Monuments and Archaeological Areas Act 1979 to include sites situated within the seaward boundary of territorial waters is welcomed.

## **Appropriateness of the powers of the Bill**

The powers of the Bill as defined within its terms of reference appear appropriate.

## **Final remarks**

We warmly commend the Bill and its intentions, which will make significant and long-needed improvements to the protection and sustainable management of much of our historic environment in Wales, provided that the provisions are workable in a sustainable manner.

Yours sincerely,

Dr Mark Redknap on behalf of Amgueddfa Cymru – National Museum Wales  
18.6.15

## **Role in organization:**

Dr Mark Redknap is Head of Collections in the Department of History & Archaeology, Amgueddfa Cymru – National Museum Wales

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