

HMS Victory:Written question - 212277

Q

Asked by [Mr Kevan Jones](#)

(North Durham)

Asked on: 28 October 2014

Department for Culture Media and Sport

HMS Victory

212277

To ask the Secretary of State for Culture, Media and Sport, who has made representations to his Department on the future management of HMS Victory 1744; and what the content was of such representations.

A

Answered by: [Mr Edward Vaizey](#)

Answered on: 04 November 2014

DCMS has received a number of representations regarding HMS Victory.

Representations were received from the following organisations which contained a range of views on the future management of HMS Victory 1744:

[Advisory Committee](#) on Historic Wreck Sites; [Advisory Council on Underwater Archaeology](#); Alderney Maritime Trust; Archaeologist - [Bournemouth University](#); Archaeologist - University of [St Andrews](#); Augurship 320 Ltd; Representatives of the Balchin Family; Representative of the Temple-West Family; [BG](#) Energy Holdings Ltd; [British Sub Aqua Club](#); [Council for British Archaeology](#); Diver-British Sub Aqua Club; [English Heritage](#); Falmouth Divers Ltd; Former Premier of Bermuda G P Resorts ([USA](#)); History Hunters International; [International Committee](#) on Underwater Cultural Heritage; Joint Nautical Archaeology Policy Committee; Lecturer in Archaeology- Institute of Archaeology; Maritime Historian Mary Rose Trust; Members of the Public, from the [UK](#) and overseas (mainly [USA](#)); Ministry of Defence-Defence Equipment & Spares (Salvage and Moorings Operation); National Maritime Museum; Nautical Archaeology Society; Nelson Society; [Odyssey Marine Exploration](#); Ordnance Historian; Ordnance Researcher; Planet Electronics Ltd; ProMare UK; [Professional Association of Diving Instructors](#); Professor of Archaeology - Institute of Archaeologists; [Receiver of Wreck](#); Rescue-The British Archaeological Trust; Retired Archaeologist; Seaquest Ltd; Searex Inc; [Society of Antiquaries](#); Student of Archaeology - Warwick University; [UNESCO](#); USA Publisher; Wreck Watch.

HMS Victory:Written question - 212294

Q

Asked by [Mr Kevan Jones](#)

(North Durham)

Asked on: 28 October 2014

Department for Culture Media and Sport

HMS Victory

212294

To ask the Secretary of State for Culture, Media and Sport, whether his Department plans to permit the (a) Maritime Heritage Foundation and (b) Odyssey Marine Exploration, to sell

material recovered from the wreck site of HMS Victory 1744.

A

Answered by: [Mr Edward Vaizey](#)

Answered on: 04 November 2014

Clause 2 of the Deed of Gift prevents the Maritime Heritage Foundation (MHF) from selling, giving or otherwise disposing of anything transferred under the Deed without the express consent of the Secretary of State for Defence.

HMS Victory: Written question - 212330

Q

Asked by [Mr Kevan Jones](#)

(North Durham)

Asked on: 28 October 2014

Ministry of Defence

HMS Victory

212330

To ask the Secretary of State for Defence, whether his Department has been subject to any prospect of legal action by the Maritime Heritage Foundation or the Odyssey Marine Exploration, regarding the recovery of material from HMS Victory 1744.

A

Answered by: [Anna Soubry](#)

Answered on: 05 November 2014

There has been no threat of legal action by the Maritime Heritage Foundation or Odyssey Marine Exploration.

HMS Victory: Written question - 212331

Q

Asked by [Mr Kevan Jones](#)

(North Durham)

Asked on: 28 October 2014

Ministry of Defence

HMS Victory

212331

To ask the Secretary of State for Defence, what arrangements his Department is making for direct, on board ship monitoring of the work on the HMS Victory wreck site by independent archaeologists.

A

Answered by: [Anna Soubry](#)

Answered on: 17 November 2014

Phased fieldwork on the site will be controlled by the Maritime Heritage Foundation (MHF) and its Scientific Advisory Committee, chaired by Dr Margaret Rule CBE, who led the project to raise the Mary Rose, and will follow the agreed Project Design. Extensive scientific progress reports will be provided to the Ministry of Defence (MOD) for its use in decisions to consent to any further work. The MOD has the right to inspect work being conducted at the site. All organisations engaged in such work have given a commitment that the quality of

archaeological work on the project will meet or exceed requirements set by the MOD. Examples of scientific reports documenting the non-disturbance phases of the project design are available for public review at www.victory1744.org/publications.html

In addition, any licences granted to the MHF by the Marine Management Organisation for works relating to the wreck of HMS Victory 1744 may include a condition requiring monitoring of the activities by an independent archaeologist if that is considered appropriate.

HMS Victory:Written question - 212332

Q

Asked by [Mr Kevan Jones](#)
(North Durham)

Asked on: 28 October 2014

Ministry of Defence

HMS Victory

212332

To ask the Secretary of State for Defence, whether completion bonds or other financial arrangements will be put in place before granting the Maritime Heritage Foundation permission to recover at risk surface items from the wreck site of HMS Victory 1744; and what specific communications there have been between government departments on that matter.

A

Answered by: [Anna Soubry](#)

Answered on: 05 November 2014

Funding for the approved next stage of the project (recovery of at-risk surface items, subject to a licence by the Marine Management Organisation) is underwritten by a financial bond provided by Odyssey Marine Exploration and held by the Ministry of Defence (MOD). Funding of the project has been discussed by officials from MOD and the Department for Culture Media and Sport as part of the assessment of the Project Design.

HMS Victory:Written question - 212333

Q

Asked by [Mr Kevan Jones](#)
(North Durham)

Asked on: 28 October 2014

Ministry of Defence

HMS Victory

212333

To ask the Secretary of State for Defence, which museum will be taking the accessioned collection of material from HMS Victory 1744.

A

Answered by: [Anna Soubry](#)

Answered on: 05 November 2014

The Maritime Heritage Foundation has committed to ensure the public display of, and access to, the Victory 1744 Collection, and is in discussion about that arrangement with a UK museum; the Ministry of Defence is being kept informed of the progress of those discussions. Any

agreement will be announced at the appropriate time. It should be noted that any artefacts recovered would need to go through a conservation process, which will take some time, before they could be displayed.

HMS Victory:Written question - 212334

Q

Asked by [Mr Kevan Jones](#)

(North Durham)

Asked on: 28 October 2014

Ministry of Defence

HMS Victory

212334

To ask the Secretary of State for Defence, whether all items of cultural material from the HMS Victory 1744 wreck site will be acquired by the Maritime Heritage Foundation for deposition in one complete museum archive as required by the UNESCO Annex and Key Management Principles.

A

Answered by: [Anna Soubry](#)

Answered on: 05 November 2014

The project will follow applicable UK law, conditions of the Deed of Gift and the archaeological principles set out in Annex A of the UNESCO Convention for the Protection of Underwater Cultural Heritage. It is planned that all cultural items transferred under the Deed of Gift will be accessioned into the Victory 1744 Collection, as will the associated archive, including site plans, drawings and photographs. The Maritime Heritage Foundation has committed to manage and curate the Collection in line with the Museum Association's Code of Ethics for Museums. No items transferred under the Deed of Gift may be sold or disposed of without the consent of the Secretary of State for Defence.

HMS Victory:Written question - 212335

Q

Asked by [Mr Kevan Jones](#)

(North Durham)

Asked on: 28 October 2014

Ministry of Defence

HMS Victory

212335

To ask the Secretary of State for Defence, what discussions he had with Lord Lingfield, then Sir Robert Balchin, regarding the formation of a company or charity to take on management of the wreck of HMS Victory 1744.

A

Answered by: [Anna Soubry](#)

Answered on: 05 November 2014

I have had no such discussions with Lord Lingfield. The Maritime Heritage Foundation, to

which the wreck was gifted in January 2012, is a registered charity.

HMS Victory: Written question - 212336

Q

Asked by [Mr Kevan Jones](#)

(North Durham)

Asked on: 28 October 2014

Ministry of Defence

HMS Victory

212336

To ask the Secretary of State for Defence, how many reports from independent companies and subject experts in sea bed restoration and conservation the Maritime Heritage Foundation have been submitted to the Expert Panel and Advisory Group, in respect to the wreck site of HMS Victory 1744.

A

Answered by: [Anna Soubry](#)

Answered on: 06 November 2014

Since 2008, when Odyssey Marine Exploration discovered the wreck of HMS Victory 1744, the site has been regularly monitored and the reports of several site surveys have been submitted to the Government. These include environmental studies of the site's sedimentology and suitability for *in situ* preservation and the wreck's marine biological profile have been completed by the University of St Andrews, Scotland, and the University of Huelva, Spain. In addition, the relevant passages in the Project Design have been considered by the Advisory Group and Expert Panel. Further, Wessex Archaeology produced two independent reports in 2009, which can be found at <http://www.wessexarch.co.uk/reports/71070/hms-victory-1744>.

HMS Victory: Written question - 212338

Q

Asked by [Mr Kevan Jones](#)

(North Durham)

Asked on: 28 October 2014

Ministry of Defence

HMS Victory

212338

To ask the Secretary of State for Defence, what sanctions are available to his Department if the Maritime Heritage Foundation or the Odyssey Marine Exploration attempt to sell any material of any kind from the wreck site of HMS Victory 1744 in contravention of the Deed of Gift, the UNESCO Annex and Government's Key Management Principles.

A

Answered by: [Anna Soubry](#)

Answered on: 05 November 2014

Clause 2 of the Deed of Gift prevents the Maritime Heritage Foundation (MHF) from selling, giving or otherwise disposing of anything transferred under the Deed without the express consent of the Secretary of State for Defence. No sale would be valid in the absence of such

agreement and the Ministry of Defence (MOD) would be able to take direct enforcement action either through injunction or action for "delivery up" against a third party in possession of any artefacts requiring their return to the MHF.

In addition, as the artefacts were transferred to the MHF on trust for the education and benefit of the nation, the MOD, as the donor, could seek cause of action for breach of trust if the Deed of Gift was found to be broken.