



# RECEIVER OF WRECK ANNUAL REPORT 2008





## BACKGROUND

The Receiver of Wreck is appointed by the Secretary of State for Transport and is an official of the Maritime & Coastguard Agency (an Executive Agency of the Department for Transport). The main functions of the Receiver of Wreck are to administer those parts of the Merchant Shipping Act 1995 that deal with wreck and salvage. The Act states that all recovered wreck material, regardless of age, size or value, must be reported to the Receiver of Wreck. This includes all wreck recovered from within UK territorial waters and any wreck material brought within UK territorial waters. The responsibilities of the Receiver of Wreck include dealing with incoming reports of recovered wreck material, researching legal ownership of wreck, ensuring that legal owners are given the opportunity of having their property returned, facilitating agreement to and payment of fair salvage awards, and administering the Crown's (or grantee's) right to unclaimed wreck. In addition to these main statutory duties, the Receiver of Wreck also administers the Royal Prerogative for Fishes Royal and section 2 of the Protection of Wrecks Act 1973 (dangerous wrecks).

As the UK's maritime authority, the MCA also recognises the importance of our maritime heritage and, through the Receiver of Wreck, actively engages with maritime heritage organisations (both government and NGO).

The Receiver of Wreck is based at the MCA Headquarters in Southampton and is represented at a local level by officers of HM Coastguard.

## 2008 SUMMARY

The grounding of the MSC NAPOLI in January 2007 was the most notable event for the Receiver of Wreck that year, and the effects were still being felt well into 2008. This considerable workload was compounded by the loss of the ICE PRINCE in January 2008 and the arrival of the ICE PRINCE's cargo of timber on beaches along the South Coast a few days later. January 2008 continued to be a busy month for the Receiver of Wreck and other areas of the MCA, particularly the Secretary of State's Representative for Salvage and Intervention (SOSREP). Incidents in January included the loss of the ferry RIVERDANCE, the grounding of the LT CORTESIA and the CITY OF SUNDERLAND, the drifting chemical tanker MARIELLA and the timber carrier NORDGARD. Some of these incidents will be looked at in a little more detail below.

Droit figures have remained steady in recent years and, during 2008, we received just under 300 reports in total. The Receiver of Wreck closed 410 droits during 2008, some of which were complex cases which had been ongoing for some considerable time. This is a significant increase in comparison with the number of droits closed in 2007 and is as a direct result of the increased workload created by the MSC NAPOLI incident. The Receiver of Wreck is currently dealing with 584 ongoing cases. Although this is a significant number of cases for such a small team to deal with, this is the lowest it has been for a number of years. Of the droits which remain open, many are complex cases, some of which have necessitated the Receiver of Wreck administering areas of the Merchant Shipping Act that we would not normally expect to use, for example, the detention of vessels on which salvage is due.

During 2008, the Receiver of Wreck continued to provide advice on wreck and salvage matters to other areas of Government, salvors, wreck owners and members of the public. The team also continued to take an active role in aspects of maritime heritage management and contributed to a variety of seminars and workshops, policy groups and committees. In line with our continuing programme of education, presentations were given to a wide range of customers, from recreational divers to local authority archaeologists. This commitment to educating specific target groups and members of the public in general was given a significant boost by the considerable media interest in the ICE PRINCE incident (see below for details).

The Receiver is also charged with the additional duties of administering section 2 of the Protection of Wrecks Act 1973 and the Royal Prerogative for Fishes Royal. During 2008, we dealt with a relatively small number of stranded whales, dolphins and porpoises, and received no reports of sturgeon. However, it was a busy year with regard to section 2 of the Protection of Wrecks Act 1973 (dangerous wrecks), with surveys of both the SS CASTILIAN and the SS RICHARD MONTGOMERY and ongoing work in conjunction with the Department for Culture, Media and Sport (DCMS) and the Department for Transport Marine Legal Division to resolve issues related to the protection of dangerous wrecks brought about by the Heritage Protection Bill.

## DROIT STATISTICS

### DROITS 2008

A total of **299** reports of wreck were received in 2008, which is a very small increase on the previous year's figures. In 2007, 290 droits were received, not including the MSC NAPOLI reports (since they relate to one incident and give an artificially inflated impression of overall wreck recoveries). Although the 299 reports received in 2008 does represent a very slight increase on the previous year's figures, incoming droit figures have, in general terms, declined since a peak between 2000 and 2002 (see figure 3, page 8).

There is no limit to the quantity of recovered wreck material that can be reported on each droit, as long as all of the material reported has come from the same site. Although a total of 299 droit forms were received during 2008, this actually refers to in excess of 1,500 individual items, ranging in size from fragments of pottery to a 3 metre long bronze cannon. This figure of approximately 1,500 recovered items does not include the various quantities of ICE PRINCE timber that were recovered by members of the public in January of 2008. The number of recoveries of timber reported on ICE PRINCE droits ranged from one finder who had recovered one 7ft length of timber to another who had recovered 7 tons of timber.

### Closure of 2008 Droits

The Merchant Shipping Act 1995 gives wreck owners one year in which to come forward and prove their ownership of recovered wreck material. This statutory time period means that many droits must stay open for at least one year, although the Receiver of Wreck does have a discretionary power to close cases within this period in certain circumstances. This one year period begins from the date on which the report was received rather than one year from the date on which the salvage service was rendered.

Of the 299 droits received during 2008, it has been possible for the Receiver of Wreck to conclude 44 of them already, despite the fact that the statutory period has not yet

elapsed. The majority of these cases were closed because the Receiver was able to identify the legal owner and to facilitate an agreement between owner and finder relatively quickly.

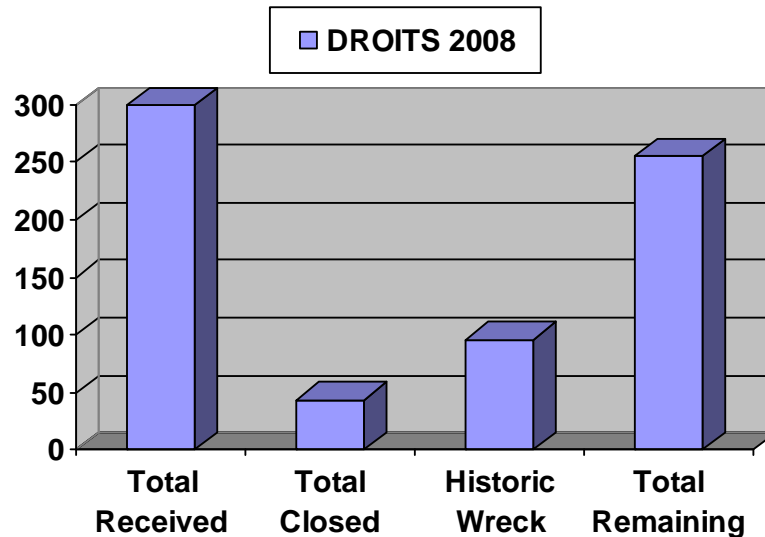


Figure 1 Droits 2008

#### Geographical Spread of Droits 2008

The remit of the Receiver of Wreck is UK wide and, during 2008, finds were reported from all around the UK, from the Shetlands to the Isles of Scilly. In geographical terms, the highest density of recovered wreck material was reported from off the South Coast of England, with the second highest density of material being recovered from off the North East Coast of England. A number of reports were also received from wrecks within Isle of Man territorial waters. The Isle of Man has its own Receiver of Wreck and these reports were redirected to him. The table below gives a brief outline of the geographical extent of 2008 droits (not including recoveries from international waters).

Direction	Location	Wreck	Item(s) recovered
Most Northerly	Shetland	HMS NESSUS	Two Portholes, one lantern, one light fitting and one temperature gauge
Most Southerly	Isles of Scilly	SS SCHILLER	One Porthole

Most Easterly	Off Aldeburgh, Suffolk	Unknown	Cannonballs recovered during marine aggregate dredging
Most Westerly	Off Isle of Lewis	Unknown vessel	Fishing gear

Figure 2 Geographical Spread of 2008 Droits

The Merchant Shipping Act 1995 requires that wreck material recovered from outside of UK territorial waters must be reported to the Receiver if it is brought within territorial waters. During 2008, a number of international wreck finds were reported to the Receiver. These include a number of items from wrecks in the Atlantic and, from more exotic climes, a bell recovered from a wreck off the coast of Thailand.

Although some of the reports received during 2008 related to floating wreckage and wreck material on shore, the majority of reports relate to material recovered from wrecks on the seabed. Where finders have provided details on the depth of the wreck site, these vary from a shallowest depth of 6 metres to a deepest depth of 100 metres, with the average reported depth being approximately 50m. This figure may be misleading, given that information on depth was only provided by approximately 50 finders, however, it does correspond with a general trend towards recoveries from deeper sites.

Finds were reported by a variety of groups and individuals such as divers, beachcombers, metal detectorists, fishermen, archaeologists, port authorities, museums and salvage companies.

## DROITS 2000 - 2008

The graph below shows the overall trend of droits over a period of 8 years. The data for 2001 does not include the Wreck Amnesty figures, as this is not representative of the year on year pattern. The total number of droits received in any one year peaked between 2000 and 2002, followed by a general decrease in droit numbers, which has, in recent years, levelled out at an average figure of 287 droits per year since 2002.

### Droit figures 2000-2008

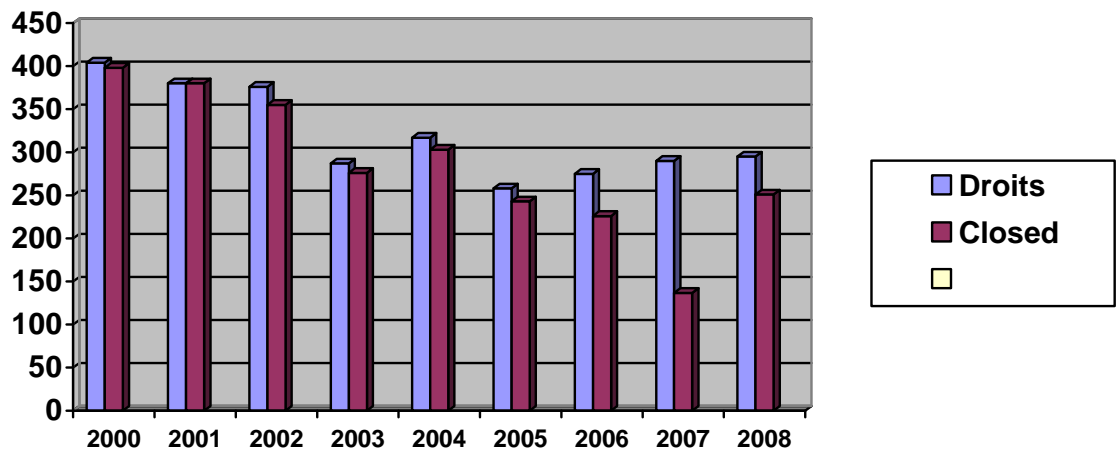


Figure 3 Droit Figures Since 2000

Of the droits received during 2007 (not including MSC NAPOLI droits), 54% have now been concluded. Of the droits received during 2007 which relate to the MCS NAPOLI, more than 90% have been concluded. All droits which remain open are subject to ongoing correspondence with interested parties, including wreck owners, museums and licensees (in the case of designated historic wrecks).



## HISTORIC WRECK

For the purposes of Receiver of Wreck records, 'historic wreck' is considered to be anything lost 100 or more years ago. However, it should be remembered that each case is treated on its own merits and, therefore, this does not mean that all wreck over 100 years old will be of historic significance, or that wreck under 100 years old cannot be of historic significance. In order to provide a meaningful assessment of recovered wreck material and associated statistics, it is necessary to define 'historic wreck' in some way.

Of the 299 droits received during 2008, **93** are, or are likely to be from historic wrecks. It is likely that this figure will rise as research is conducted into the remaining 2008 droits and more is learnt about their individual histories. 'Historic' wrecks from which items were reported during 2008 include:

Name	Date of Loss	Fate	Items Recovered
ROYAL CHARTER	October 1859	En route Melbourne for Liverpool with passengers & cargo which included gold from Australia. Lost in heavy weather off Anglesey.	3 x gold sovereigns. 3 x shillings. 1 x Rupee (1840), 1 x Penny. 1 x rowlock. 1 x brass bed warmer. 1 x brass rod. 2 x jointed lead chain, 3 x spoons. 2 x brass caps. 1 x ornate brass fitting. 1 x brass plate, 1 x brass inspection cover. 1 x brass handle.
ARGONAUT	September 1908	Lost following collision with the SS KINGSWELL.	1 x Brass oil lamp, 12" high. 2 x White plates with 'SY Argonaut' crest, 9" dia. 2 x Silver (?) fish knives with 'SY Argonaut' crest. 1 x White bowl with 'SY Argonaut' crest, 9" dia. 1 x Glass bottle, 12" high x 4" dia, blue with 'Clarke's World Famed Blood Mixture Lincoln, England' embossed on side. 1 x Glass decanter stopper.
SMYRNA	April 1888	En route London for Sydney with a general cargo. Collided with SS MOTO in thick fog off the Isle of Wight.	1 x Ink bottle, 140mm height 80mm diam. 1 x China bottle, 105mm height, 60mm dia.
CITY OF ANTWERP	October 1882	Sank off Eddystone following collision with the German ship CONSTANTIA, which also sank.	1 x Brass/copper steam whistle, heavily encrusted. 1 x silver plated candlestick holder.
DUKE OF BUCCLEUCH	March 1881	Lost following collision with the steamer BENIN in the English Channel off Littlehampton.	17 x assorted dishes, plates and glasses.

ABANA	December 1894	En route Liverpool to Florida. Lost in heavy weather when crew mistook the newly built Blackpool Tower for a lighthouse.	2 x Deadeyes.
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Figure 4 Examples of Historic Wreck

Of droits closed during 2008, the Receiver of Wreck concluded 13 cases by passing legal title to an appropriate museum. Items given to museums in 2008 include a triple arris rapier of the Middle Bronze Age which was acquired by the Isle of Wight Heritage Service, a bell from a British Naval loss of the Second World War which was donated to the Royal Naval Museum, small items from the SS ANGLIA, a First World War hospital ship, which were donated to the Holyhead Maritime Museum, and cannonballs and musket shot from an unidentified wreck which were given to the Shipwreck & Heritage Centre on the Isle of Wight.

## EVENTS & NOTABLE CASES 2008

### ICE PRINCE

Between the 20<sup>th</sup> and 23<sup>rd</sup> January 2007, significant and well publicised voluntary salvage activities took place with regard to the cargo lost from the stricken container ship MSC NAPOLI. Almost exactly a year to the day, on 19<sup>th</sup> January 2008, the Receiver of Wreck was again on the beaches of the South Coast dealing with a large scale cargo recovery. This time, it was a cargo of untreated timber lost when the vessel ICE PRINCE sank in the Channel, outside of UK territorial waters.



Figure 5 ICE PRINCE



Figure 6 Timber cargo adrift in Channel

Of considerable benefit to the Receiver in this matter was the fact that the timber cargo remained afloat in the Channel for some days before it eventually came ashore. This had a two-fold advantage, firstly, the location of these giant rafts of timber was continually monitored and modelling was carried out by HM Coastguard to predict where and when it would come ashore. Secondly, this time lag between the loss of the ship and the beaching of the cargo allowed the hull insurers time to appoint contractors to deal with the clean up. The modelling was accurate and the main bulk of the cargo came ashore on the 19<sup>th</sup> and 20<sup>th</sup> January, mostly on Worthing Beach. The contractors, who had already mobilised, were able to begin the recovery effort on the evening of the 19<sup>th</sup> January, as the timber was still coming ashore.

Although a cargo of untreated timber (soaked with seawater and shredded by the shingle beaches of the South Coast) is neither as interesting or valuable as the BMW

motorbikes, oak wine barrels and L’Oreal cosmetics that came ashore from the MSC NAPOLI a year previously, this giant ‘woodslick’ still excited a considerable amount of national media interest and Worthing enjoyed a winter tourist boom.



Figure 7 Receiver of Wreck interviewed on GMTV



Figure 8 An ITN news crew film the scene

Implementing lessons learned from the MSC NAPOLI, Receiver of Wreck representatives were fully equipped and well branded with high visibility jackets, steel toecap boots and hardhats to comply with health and safety regulations on a work site. The Receiver of Wreck also formally empowered the relevant police authorities to act as agents of the Receiver of Wreck. This was in addition to the assistance of Coastguard Rescue Officers from the Isle of Wight to Beachy Head, part of whose duties are to act as the Receiver’s local representatives.



Figure 9 Receiver of Wreck PPE in use

The process of clearing the timber from the most affected areas of Worthing and Brighton, to the smaller quantities ashore at difficult to reach areas, was a challenging job. The condition of the timber was assessed and it was agreed that chipping was the best option for removal and disposal, the chippings could then be used as a biofuel. Although the vast majority of the timber was disposed of in this manner, smaller amounts were removed by members of the public, who subsequently reported these recoveries to the Receiver of Wreck. Reasons given by finders for recovering timber

ranged from building sheds and bordering vegetable patches to the creation of three dimensional works of art.

### January & February 2008

Although not one specific case or event, January and February 2008 saw a prolonged period of bad weather and, consequently, were two particularly busy months for the Receiver of Wreck as well as SOSREP, HM Coastguard and the MCA Counter Pollution Branch. Cases included:



Figure 10 LT Cortesia aground on Varne Bank

On the 2<sup>nd</sup> January 2008, the container ship LT CORTESIA ran aground on the Varne Bank and developed a list. At 90,500gt, the LT CORTESIA is almost double the size of the MSC NAPOLI. With the assistance of an MCA emergency towing vessel, the LT CORTESIA was refloated, towed to a safe anchorage for damage inspection, and allowed to continue on her journey.

On the 10<sup>th</sup> January 2008, the chemical tanker MARIELLA was disabled and drifting in Weymouth Bay. In the severe weather, it was difficult to attach a tow but, with the intervention of SOSREP and the assistance of the Coastguard, the empty tanker was taken in tow and brought to Portland.



On the 14<sup>th</sup> January 2008, the CITY OF SUNDERLAND, a 9576gt car carrier with 642 cars on board, ran aground on Happisburgh Sands, 8 miles off the Norfolk coast. In weather conditions gusting to force 9, the vessel developed a 10° list but, as it was undamaged, it was refloated on the next high tide.

Figure 11 City of Sunderland aground

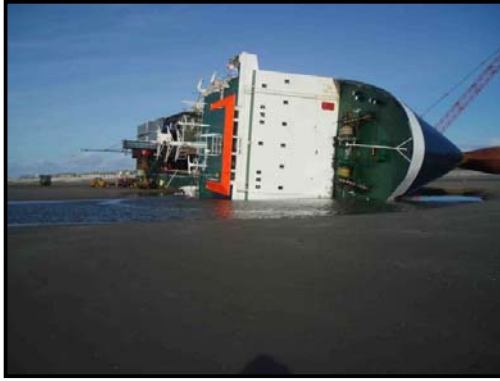


Figure 12 Riverdance aground at Blackpool



Figure 123 Riverdance aground at Blackpool

After experiencing severe weather conditions in the Irish Sea, the Ro-Ro ferry RIVERDANCE grounded on the beach at Blackpool on the 1<sup>st</sup> February 2008. Most of the crew and passengers were airlifted to safety and, although the remaining crew attempted to stabilise the vessel whilst aground, part of the deck cargo of articulated lorry trailers began to spill small amounts of biscuits, fertiliser and timber on to the beach. Salvors were quickly appointed, along with contractors to clear the cargo material from the beaches. However, a few items recovered by members of the public soon appeared on an internet auction site, including a lifesaving ring marked RIVERDANCE. In conjunction with Blackpool Police and the internet auction site, the item was removed from the site and the seller contacted by the Police.

Also on the 1<sup>st</sup> February 2008, whilst approximately 225 miles off the Isles of Scilly, the cargo vessel HORNCLIFF encountered severe weather and was struck but a huge wave which washed away around 90 of the containers carried on deck. The HORNCLIFF was en route from Costa Rica with a cargo of bananas and melons, some of which arrived on the beaches of Cornwall a few days later.

## NOTABLE CASES

Set out below are summaries of a number of cases dealt with during 2008. This illustrates a cross-section of the types of material dealt with by the Receiver of Wreck.

### HMS KURD



HMS KURD was a minesweeper whose crew had already shown great courage in the rescue of the crew of an RAF bomber which had crashed into the sea on its return journey. HMS KURD went into a minefield to rescue the survivors. On the 10<sup>th</sup> July 1945, two months after the end of the war, HMS KURD was employed in clearing a British anti-submarine minefield south of Lizard Point. Whilst retrieving her sweep wire KURD snagged a mine, exploded and sank within seconds. Survivors were picked up by the armed trawler ALMANDINE.

When the inscribed bell was discovered on the site, the finder was keen that it should be displayed in an appropriate museum. Following the Receiver's investigations, the Royal Naval Museum confirmed that they did not have anything comparable in their armed trawler related collections and would very much like to acquire this bell. On hearing this, the finder readily agreed to waive any rights he might have to a salvage award and to donate this bell to the Museum. The finder personally delivered the bell to the Receiver of Wreck office and it was officially handed over to the Royal Naval Museum in September 2008.

### Bronze Age Weapons

The remit of the Receiver of Wreck covers all wreck material, regardless of age, size or value. Droits dealt with by the Receiver of Wreck during 2008 clearly demonstrate this

wide variety of material covered, ranging as they do from a brand new racing yacht to a number of finds dating to the Bronze Age. Bronze Age finds dealt with in 2008 include a triple arris rapier of the Middle Bronze Age which was recovered by a fisherman off the Isle of Wight some years ago and has now been acquired on a permanent basis by the Isle of Wight Heritage Service. From the River Tay a Bronze Age dirk was reported by a snorkeller. This was also dated to the Middle Bronze Age and it is thought that this find will be acquired by the Perth Museum and Art Gallery.



Figure 14 Triple arris rapier



Figure 15 Bronze Age dirk

### CITY OF DRESDEN INGOTS



The Receiver of Wreck's 2002 Annual Report included information on the recovery of a cargo of copper ingots from the wreck of the ST GEORGE, lost off St Agnes Head in 1882. The Receiver of

Wreck was able to arrange for the National Museum of Wales to acquire a number of these ingots for their Heavy Industry Department. Ingots recovered from the ST GEORGE were clearly marked CCC BS, for the Cape Copper Company, Best Select and were smelted by the company at Briton Ferry Works near Swansea. When a report was received of an ingot recovered from the wreck of the CITY OF DRESDEN, and this ingot was also marked CCC BS, the Receiver contacted the National Museum of Wales to see if they would be interested. The Museum was particularly interested given that the CITY OF DRESDEN was lost off Dungeness in January 1907 and, therefore, this ingot was of a slightly different form and represented the production from this company a generation later than the ST GEORGE examples. The finder had recovered one ingot, but the Receiver of Wreck was able to identify another finder who, some years previously, had reported a number of ingots from the same wreck. These were also of the CCC BS type, as well as ingots marked PG&S, for Pascoe, Grenfell & Co, whose



smelting works were also in Swansea. Both finders were happy to donate ingots to the Museum, even though one of these droits was already closed and title to the ingots had already been passed to the finder.

## HMS LONDON

HMS LONDON, a second rate ship of the line built in 1654, was lost in the Thames Estuary following an explosion while on passage from Chatham in 1665. Following an archaeological assessment of the site (which is in two main sections) and the recovery of two bronze cannon, in October 2008 the site became a designated historic wreck under the Protection of Wrecks Act 1973. One of the guns recovered from the wreck bears the Tudor Rose and the inscription of the maker, the other bears the Commonwealth arms. During HMS LONDON's service, the vessel participated in the First Anglo-Dutch War (1652-4) and was later part of an English squadron sent to collect Charles II from the Netherlands and restore him to his throne following the death of Cromwell in 1658. It is hoped that both guns will become part of the national collection at the Royal Armouries.



Figure 16 Tudor Rose on HMS London gun



Figure 17 Cascabel of an HMS London gun

## ROYAL FISH

In addition to the Receiver's statutory functions, the Receiver of Wreck also has responsibility for the administration of the Royal Prerogative for Fishes Royal. Royal Fish are considered to be whales, dolphins, porpoises and sturgeon, although in Scotland Royal Fish are defined only as whales measuring 25ft or more in length. Currently, the Receiver of Wreck is responsible for the administration of this Royal Prerogative in England, Wales and Northern Ireland, with the Scottish Government having responsibility in Scotland. The Receiver's particular involvement is with the removal and disposal of dead stranded Fishes Royal on Crown or public land and ensuring that information on the stranded animal is transmitted to the Natural History Museum, who undertake research into causes of cetacean mortality.

The number of Royal Fish strandings dealt with varies significantly from year to year, as can be seen in the table below. During 2008, a comparatively small number of strandings were reported to the Receiver unlike, for example, 2006. This clearly demonstrates the unpredictability of such events. Six whales were reported to the Receiver of Wreck from England, Wales and Northern Ireland. These included a number of Minke whales, Pilot whales and a Sowerby's beaked whale. No reports of Fin whales or Sperm whales were received during 2008 and this, in part, explains the lower cost of removal and disposal since Fin whales and Sperm whales are considerably larger.

Whale strandings dealt with by the Receiver during 2008 include:



In September a Minke whale stranded at Cresswell beach, Northumberland.

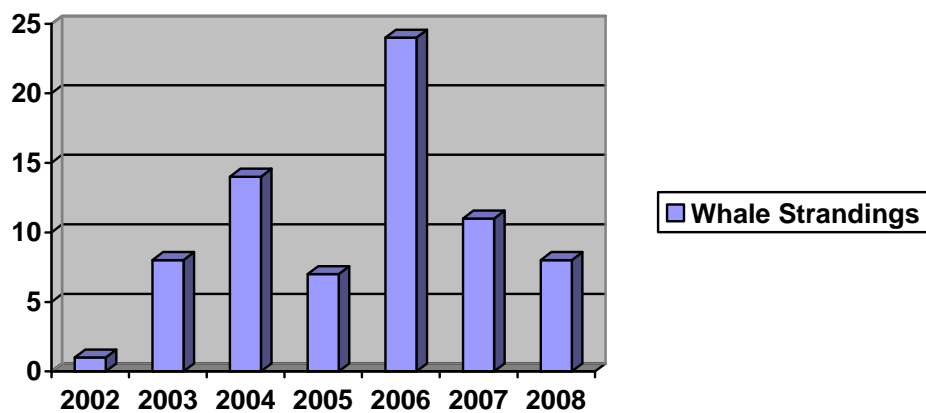


In November, a Pilot whale was beached on MoD land near Lulworth, Dorset.



In August, a Sowerby's beaked whale was stranded on St Agnes, Isles of Scilly.

The table below shows the number of whale strandings dealt with by the Receiver on an annual basis since 2002 and clearly illustrates the erratic and unpredictable nature of these events.



### Protection of Wrecks Act 1973

Another of the Receiver of Wreck's additional functions is the administration of section 2 of the Protection of Wrecks Act 1973. Section 2 of the Act provides for the designation of a prohibited area around wrecks which are deemed to be dangerous by virtue of their contents. Currently, there are two wrecks designated under this section of the Act, the SS RICHARD MONTGOMERY and the SS CASTILIAN. Information on both of these wrecks is available on the MCA website ([www.mcga.gov.uk/row](http://www.mcga.gov.uk/row)). During 2008, surveys were conducted on both of these sites. However, it was the prospect of legislative reform in this area which mostly occupied the Receiver's time and resources during 2008. The Heritage Protection Bill will see the repeal of the Protection of Wrecks Act 1973 in England and Wales and, therefore, provision must be made for the continued protection given by section 2 of this Act. The Receiver of Wreck is working closely with colleagues at the Department for Culture, Media and Sport and the Department for Transport, Marine Legal Division to ensure the continuation of this function.

## Summary

In summary, 2008 has been a busy year and, in addition to the statutory functions of the Receiver of Wreck, the team has been engaged in a variety of other areas of work, including advice and consultation with other Government departments, international liaison and legislative reform. The Receiver has also continued to educate target audiences and members of the public in general through presentations, visits, participation in a variety of workshops and conferences and also through the local and national news media. As outlined above, a number of significant events have also ensured that the Receiver of Wreck team was kept very busy.

As we go in to 2009, this pattern already looks to be continuing, with the loss of a deck cargo of timber from the vessel SINEGORSK in the Channel on 19<sup>th</sup> January.