STATUTORY INSTRUMENTS

2022 No. 535

PROTECTION OF WRECKS, ENGLAND

The Protection of Wrecks (Designation and Amendment) (England) Order 2022

Made - - - -	*10th May 2022*
Laid before Parliament	*12th May 2022*
Coming into force - -	*2nd June 2022*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 1(1) and (2) and 3(2) of the Protection of Wrecks Act 1973(**a**) ("the Act").

The Secretary of State is satisfied, in relation to the five sites identified in the Schedule to this Order, as to the matters set out in section 1(1) of the Act.

The Secretary of State is satisfied as to the matters set out in section 3(2) of the Act.

In accordance with section 1(4) of the Act, the Secretary of State has consulted such persons as the Secretary of State considers appropriate having regard to the purposes of this Order, or is satisfied that there is a matter of immediate urgency where consultation has been dispensed with.

Citation, commencement, extent and application

1.—(1) This Order may be cited as the Protection of Wrecks (Designation and Amendment) (England) Order 2022 and comes into force on 2nd June 2022.

(2) This Order extends to England and Wales but applies only in England.

Identification of sites and designation of restricted areas

2.—(1) This provision designates four areas around sites where a vessel or vessels lie, or are supposed to lie, wrecked on or in the sea bed.

(2) These sites are listed in the first column of the Schedule and the position of each site is given in the corresponding entry in the second column of the Schedule(**b**).

(3) For each site so listed, the area within the distance from the site specified in the corresponding entry in the third column of the Schedule is designated as a restricted area.

(4) A restricted area designated under paragraph (3) does not include any part of that area which is above high water mark of ordinary spring tides.

(**a**) 1973 c. 33.

(**b**) The positions of the sites identified in the Schedule are defined by co-ordinates of latitude and longitude according to the World Geodetic System 1984 (WGS 84), as revised in 2004.

Amendment

3.—(1) The entry for The Hazardous, Bracklesham Bay, in Table 1 of Schedule 1 to the Protection of Wrecks (Designation) (England) (No. 2) Order 2017(**a**) is amended as follows.

(2) For the position in the second column substitute—

"Latitude 50.752242
Longitude -0.859310".

Revocation

4. The Protection of Wrecks (Designation No. 3) Order 1997(**b**) is revoked.

Nigel Huddleston
Parliamentary Under Secretary of State
Department for Digital, Culture, Media and Sport

10th May 2022

SCHEDULE

Article 2

SITES OF WRECKS

Site	*Position*	*Radius*
Shingles Bank Wreck NW68, Isle of Wight (Offshore)	Latitude 50.69662 Longitude -1.56985	75 metres
Shingles Bank Wreck NW96, Isle of Wight (Offshore)	Latitude 50.68705000 Longitude -1.58302000	50 metres
Mortar Wreck, Poole Bay	Latitude 50.65845000 Longitude -1.92592000	50 metres
Hanover, Hanover Cove	Latitude 50.33520100 Longitude -5.18431500	150 metres

EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates as restricted areas for the purposes of the Protection of Wrecks Act 1973 ("the Act"): the area within 75 metres of one wreck and 50 metres of another wreck in the Needles Channel, Isle of Wight; and the area within 50 metres of a wreck in the Swash Channel on the approach to Poole Harbour, Dorset.

Additionally, this Order newly designates for the purposes of the Act, an area within 150 metres of a wreck in the Hanover Cove on the North Cornish coast. This relocates and decreases the size of the restricted area, thereby better reflecting the extent of the wreck's surviving physical remains. As a result, this Order revokes the Protection of Wrecks Designation (No. 3 Order) 1997.

(**a**) S.I. 2017/872.
(**b**) S.I. 1997/1718.

Further, this Order amends a prior designation of a wreck in Bracklesham Bay, West Sussex to correct a factual error in the co-ordinates provided in the Protection of Wrecks (Designation) (England) (No. 2) Order 2017. In respect of this wreck, consultation was undertaken prior to designation in 2017, but not prior to this Order as protecting this wreck from unauthorised activity is considered to be a matter of immediate urgency.

These areas are believed to be the wreck sites of: a 17th century armed vessel known as the Shingles Bank Wreck NW68, located off the Isle of Wight; a late 15th or 16th century merchant vessel known as the Shingles Bank Wreck NW96, also located off the Isle of Wight; a 13th century cargo vessel located in Poole Bay, known as the Mortar Wreck; an 18th century English brigantine located in Hanover Cove, Cornwall, known as the Hanover; and a 17th century British third rate ship of the line, located in Bracklesham Bay, West Sussex, known as the Hazardous.

The Secretary of State is satisfied that these sites are, or may prove to be, the sites of vessels wrecked on or in the sea bed, and ought to be protected from unauthorised interference because of the historical and archaeological importance of the vessels, or of the objects contained or formerly contained in the vessels which may be lying on the sea bed in or near the wreck.

Under section 1(3) of the Act, it is a criminal offence for a person to engage in certain activities in a restricted area, except under the authority of a licence issued by the Secretary of State.

An impact assessment has not been produced for this instrument as no significant impact is foreseen on the private, voluntary or public sectors.

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