

Historic Environment Scotland
Àrainneachd Eachdraidheil Alba

**Consultation on a proposal to designate an area of
Scottish territorial waters as the Iona I Historic Marine
Protected Area, under the Marine (Scotland) Act 2010**

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Background and purpose

The Scottish Government is committed to a clean, productive, healthy and biologically diverse marine and coastal environment that meets the long term needs of people and nature. This vision includes protecting and, where appropriate, enhancing our most important marine heritage sites in such a way that they can be valued and understood (Scottish Government 2010).

To help deliver this vision, Historic Environment Scotland is working with Marine Scotland, Scottish Natural Heritage, the Scottish Environment Protection Agency (SEPA) and the Joint Nature Conservation Committee to develop a network of Marine Protected Areas, and to make recommendations to Scottish Ministers on the selection, designation and management of three types of Marine Protected Area through powers available under Part 5 of the Marine (Scotland) Act 2010:

- *Nature Conservation MPAs* – to help deliver national priorities on biodiversity and geodiversity, including Scotland’s contribution to European and international commitments on biodiversity;
- *Demonstration and Research MPAs* – to demonstrate, or develop research into, sustainable and ideally novel marine management approaches. They will be established within Scottish territorial waters only.
- *Historic MPAs* – to protect marine historic assets of national importance within the Scottish territorial waters (out to 12 miles).

Historic Environment Scotland was established on 1 October 2015 as the new lead public body for the historic environment in Scotland, taking over the responsibilities of Historic Scotland, and the Royal Commission on the Ancient and Historical Monuments of Scotland. Historic Environment Scotland acts as statutory advisor to Scottish Government on Historic Marine Protected Areas.

This consultation is being undertaken by Historic Environment Scotland on behalf of the Scottish Government and invites views on Scottish Ministers’ proposal to designate an area of seabed within Scotland’s territorial waters as the Iona I Historic MPA. This proposal has been prepared with reference to *Guidelines for the selection, designation and management of Historic MPAs* (Historic Scotland 2012a).

As a separate consultation, Marine Scotland undertook a full assessment of the Fair Isle Demonstration and Research Marine Protected Area proposal, as submitted by Fair Isle Marine Environment and Tourism Initiative (FIMETI), using the MPA Guidelines. This consultation considers the proposal for designation. Marine Scotland are inviting views at the following website: <https://consult.scotland.gov.uk/marine-conservation/fair-isle-demonstration-and-research>.

Proposal to designate a Historic Marine Protected Area under the Marine (Scotland) Act 2010

Name	Iona I Historic MPA
Date of designation	N/A
Date last amended	N/A

Boundaries of proposed Historic Marine Protected Area

The area of sea within a distance of 90 metres of position^(a) latitude 55° 58'.076 north, longitude 04° 47'.194 west.

Marine historic asset(s)

The marine historic asset located within the proposed Iona I Historic MPA is the remains of a vessel lying wrecked on or in the seabed, objects formerly contained in the vessel and deposits or artefacts which evidence previous human activity on board the vessel.

Preservation objectives

The preservation objectives for the proposed Iona I Historic MPA and the marine historic asset are:

- a) to minimise loss of the marine historic asset within the area;
- b) to minimise deterioration of site condition of the marine historic asset;
- c) to prevent the removal, wholly or partly, of the marine historic asset from within the Iona I Historic MPA, except where the Scottish Ministers are satisfied that this is desirable for the purpose of making a significant contribution to the protection of the marine historic asset or to knowledge about marine cultural heritage;
- d) to prevent the commercial exploitation of the marine historic asset for trade, speculation or its irretrievable dispersal other than provision of professional archaeological or public access which is consistent with preservation objectives a,b,and c.

(a) Geographic co-ordinates are defined with reference to the World Geodetic System 1984 (WGS84)

SUPPORTING INFORMATION

Description

The Scottish Ministers are satisfied that designation of the *Iona I* Historic MPA is desirable for the purpose of preserving a marine historic asset of national importance which is located within the area. The wrecked vessel is believed to be that of the Clydebuilt paddle steamer *Iona I*, which sank after collision off Port Matilda, near Gourock, the Upper Clyde Estuary in October 1862. The remains lie at a depth of approximately 27m below chart datum around 100m southeast of the Whiteforeland Buoy, within the Firth of Clyde shipping navigation channel off Gourock.



Figure 1 – Ship model of *Iona I* © CSG CIC Glasgow Museums Collection.

Statement of National Importance

The wreck of *Iona I* is of national importance as the well-preserved wreck of a Clydebuilt 19th-century passenger paddle steamer purchased by Confederate agents to run the blockade of Southern ports during the American Civil War. Although deteriorating in condition, the wreck is relatively undisturbed and retains its form to a significant degree. The extent of structural survival and potential for buried archaeological deposits mean that this wreck can enhance our understanding of 19th-century Clydebuilt paddle steamers and Scotland's role in the American Civil War. Around this time, the Clyde shipping industry came to dominate worldwide ship production, making a major contribution to the prosperity and international influence of Scotland and Great Britain during the industrial period. Clyde paddle steamers played a key role in transforming travel and commerce on the West Coast of Scotland and more widely. Famed for their speed, some 300 Clyde-built ships were purchased by Confederate agents to run the blockade of Southern ports. As one of very few surviving

paddle steamer wrecks and the only example of a blockade runner to survive within the confines of the Clyde where the vessel was built and operated initially as a passenger steamer for a period of 7 years, *Iona I* makes a significant contribution to the cultural landscape of the Clyde basin. Our understanding of Clyde paddle steamers and Scotland's role in the American Civil War would also be much diminished if this site was to be lost or damaged.

As this marine historic asset is located close to a major shipping channel it is expected that designation will help to promote the national importance of the site, foster its understanding, and encourage responsible management by sea-users and authorities with statutory undertakings.

Intrinsic characteristics

The wreck of *Iona I* survives partially intact, lying upright and on an even keel, oriented approximately SW – NE with the vessel's bow probably at the NE end. Although the condition of the vessel's metal hull is deteriorating due to corrosion and other processes and some artefacts have been removed by souvenir hunters, the wreck is relatively undisturbed as the wreck has only been subject to limited salvage in the 1950s. Amidships, the wreck retains the vessel's original form to the upper deck level. Here, elements of the boilers, paddle and crankshaft assemblies, the oscillating engines and associated features survive *in situ* (Wessex Archaeology 2009). Such features are rarely preserved on wreck sites in British waters. At either end of the vessel there is significant potential for well-preserved buried structure, and archaeological deposits such as remains of the ship's cargo and personal effects belonging to the crew. Archaeological investigation could enhance our understanding of the design and construction of fast passenger steam vessels for which the Clyde yards became renowned during the mid-19th century. There are opportunities to study approaches to iron hull construction which afforded strength to withstand vibration and the weight of heavy machinery amidships (Fenwick and Gale 1998: 140-2); and the quest for speed through design of longer hulls in proportion to beam and ever more efficient and powerful steam engines.

In 1862, *Iona I*'s turn of speed and shallow draught made her an obvious target for Confederate agents during the American Civil War who were scouring the Clyde for vessels to run 'armaments in - cotton out' to Charleston and Wilmington from Bermuda and the Bahamas. Before departure, she was stripped of her fittings, underwent hull reinforcement and was painted grey. Speed trials followed and then, loaded with coal and general stores, *Iona I* departed Glasgow on 2 October 1862 for Nassau, New Providence, Bahamas. Off Fort Matilda, near Gourock, *Iona I* collided with the *Chanticleer* and sank, together with the great load of coal piled on her decks for the first leg of her outward passage to Madeira. There was no loss of life. There is potential for archaeological studies to identify evidence of the hull reinforcements, alterations and provisioning of the vessel made prior to her intended transatlantic voyage. In the Board of Trade inquiry following her sinking, an independent surveyor claimed that these reinforcements would

have been insufficient had she encountered rough weather in the Atlantic ocean (Graham, 2006; 112).

Contextual characteristics

Built in 1855 by Thomson's of Finnieston and Govan, *Iona I* is an early and famous example of the Clydebuilt paddle steamers which helped to propel the Clyde shipbuilding yards to world-wide steamship-building pre-eminence during the mid-19th-century. The passenger paddle steamer played an important role during the Victorian era, along with the railways, in revolutionising transport on the west coast of Scotland and creating opportunities for leisure through improved access away from Glasgow to coastal resorts 'doon the water'. The Clydebuilt *PS Waverley* (built 1946) represents the world's last sea-going vessel. Although there are around 78 recorded losses of paddle steamers in Scottish waters, very few wrecks survive to any significant degree. The wreck of *Iona I* is one of a small group of Clydebuilt paddle steamers wrecked within the confines of the Clyde Estuary, in this case close to the yard at Govan where *Iona I* was built and within the waters of the Firth of Clyde where she operated as a passenger vessel for around 7 years. As such, the wreck of *Iona I* significantly enriches the cultural landscape of the Clyde coast.

Iona I's secondary use to run the blockade of Southern ports during the American Civil war enhances her significance. The clandestine trade in Clydebuilt ships became increasingly important to Clydeside: around 27 yards, employing around 25,000 men, were building blockade runners by 1864 to meet demand, and 300 or so Clydebuilt vessels are known to have been acquired during the 1860s by Southern agents. Blockade-running was a risky business and around 1864, the odds of a blockade-runner being captured or destroyed were about one in six on any given voyage (Lebergott 1981:872). Few examples survive. The only other recorded example in British waters is that of her sistership *Iona II*, also built by Thomson's yard and acquired to run the Confederate blockade before she was wrecked off Lundy Island, Bristol Channel in 1864, in transit to Kingston, Jamaica. The wreck of *Iona II* is designated under the Protection of Wrecks Act 1973. There is potential to compare both vessels and to study them against blockade runners lost on the American atlantic seabord such as the Clydebuilt *Montana*, lost Bermuda, 1863 (see <http://www.conservation.bm/montana/>) and the Liverpool-built *Denbigh*, lost 1865, Galveston Bay, Gulf of Mexico (Barto Arnold et al., 2001). Such comparative studies could further enhance our understanding of Scotland's role in the American Civil War.

Associative characteristics

There is a rich documentary record to support understanding of the remains of *Iona I* and associations with important figures in the history of Clyde commerce. James & George Thomson of Finnieston and Govan was a shipbuilder of advanced vessel designs at a time when Clydeside yards were competing to build faster vessels; indeed, races between ships were common in the course of their daily rounds. With a top speed of 17 knots, *Iona I* achieved considerable fame as a fast and well-appointed passenger steamer. She operated on the Clyde section (from Glasgow to Ardrishaig) of the 'Royal

Route' from Glasgow to the Highlands, so named after a journey made by Queen Victoria. Following her loss, the Greenock Advertiser in October 1862 referred to *Iona I* as 'Queen of the Clyde'. There are also associations with important figures in the clandestine blockade-running trade, including *Iona I*'s new owner and noted violent sympathiser of the Confederate cause - David McNutt of the Glasgow firm McLeash & McNutt. The loss of *Iona I* in 1862 was widely reported at the time. Furthermore, blockade-running during the American Civil War resonates with the national consciousness – for example the fictional but glamorous character of Rhett Butler in *Gone with the Wind* was an infamous blockade runner. There are also links with the present generation of west coast passenger ferries as *Iona*'s owners David Hutcheson & Company, were the predecessors of the well-known ferry company Caledonian Macbrayne.

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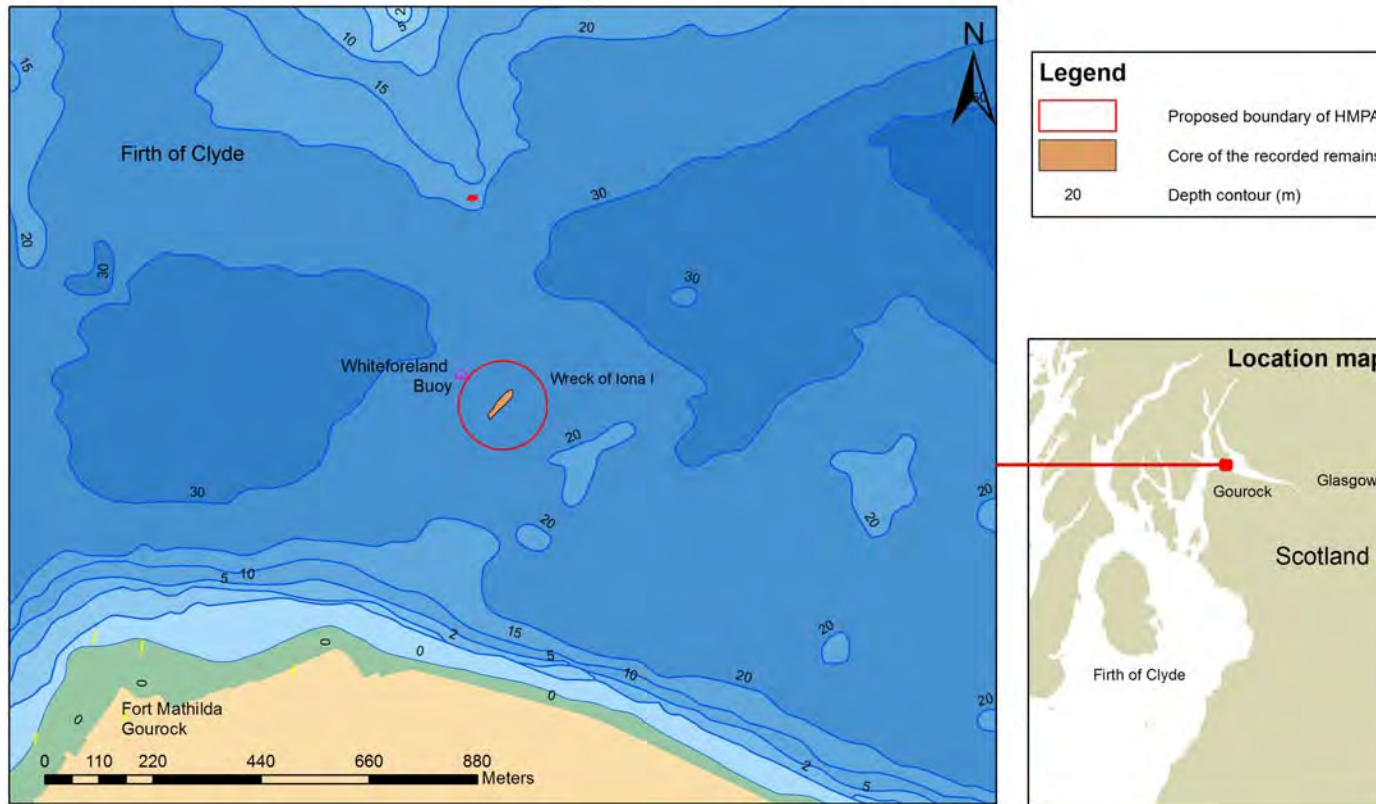
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RCAHMS record the site as NS27NE8007 <www.rcahms.gov.uk>

Map

proposed Historic Marine Protected Area : Iona I



Boundary of the proposed Iona 1 Historic MPA: the area of sea within a distance of 90m of position latitude 55° 58'.076 north, longitude 04° 47'.194 west. Map projected in WGS84 (UTM Zone 30N). Basemap © British Crown and OceanWise, 2015. All rights reserved. License No. EK001 - 20140401. Not to be used for navigation.

Preservation objectives

Preservation objectives for an Historic MPA serve to guide the management of these important sites according to the specific needs of individual areas. The preservation objectives for the proposed Iona I Historic MPA are focused around minimising loss of marine historic assets *in situ* and minimising deterioration of site condition due to man-made activities (see Table 2). Additional objectives have been included in order to set out those instances where the recovery of marine historic assets (in whole or part) may be acceptable and to restrict commercial exploitation of marine historic assets for trade or speculation.

In formulating objectives that are practicable for this Historic MPA, Historic Environment Scotland has drawn on baseline information about the survival of marine historic assets, site condition and risk from the results of archaeological investigations undertaken by Wessex Archaeology (2009). Changes in site condition and survival will be monitored on a periodic basis and a register of this information retained by Historic Environment Scotland. The preservation objectives for the proposed Iona I Historic Marine Protected Area will also be kept under review.

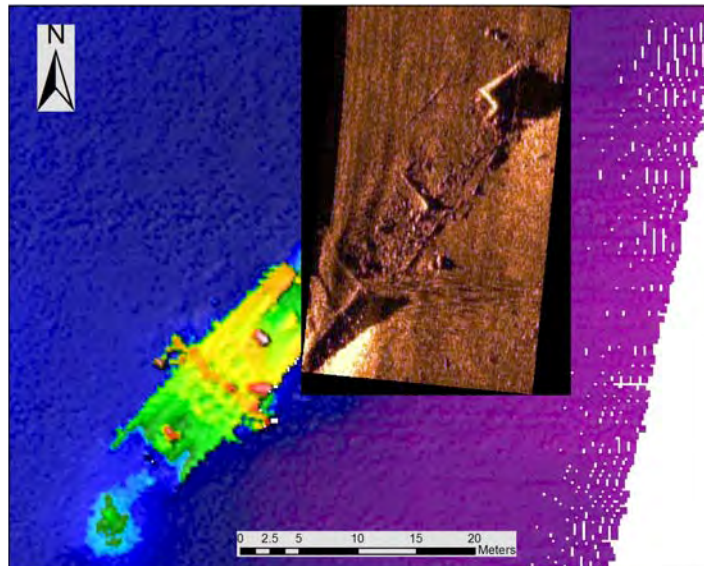


Figure 2 – Iona I wreck – Image of sidescan survey data of bow area overlaid on multibeam sonar bathymetry map (courtesy Wessex Archaeology/Clydeport – Wessex Archaeology 2009).

Hazard			Risk (where risk = frequency x severity)		
Potential impacts	Pathways	Sources observed	Severity (where 3 is the highest severity, and 1 the lowest)	Probability / frequency (where 3 is the highest probability/frequency and 1 the lowest)	Risk (hi/med/low)
Damage/ loss/ alteration of marine historic assets	Collision/ abrasion	<i>Man-made operations</i>			
		Anchoring/mooring – Clydeport imposes restrictions within the main shipping channel.	2	0.5	Low
		Commercial fishing: some static gear fishery thought to be practiced in waters to the west of the wreck ^b but not within the Firth of Clyde Channel due to restrictions by Clydeport;	1	0.5	Low
		nephrops trawling – as per static gear.	2	0.5	Low
	Dredging – shipping channel at this point is not subject to dredging due to adequate water depth. The nearest area subject to dredging lies around 1 nautical mile to the SE.	3	0.5	Low	
	Selective removal	Sport diving (recreational diving discouraged by Clydeport as the site lies within the Firth of Clyde Channel)	2	1	Low
Excavation of sediments; Degradation	<i>Natural processes</i>				
	Changes in sedimentation observed – probably due to tidal currents;	1	3	Low	
Corrosion of large iron artefacts/structure	2	3	Med		

Table 1 – Risk profile for the proposed Iona I Historic MPA on the basis of observations from archaeological investigation and site monitoring.

^b See ScotMap data – <http://www.scotland.gov.uk/topics/marine/seamanagement/nmpihome>

Objective	Current indicator status and descriptor	Detail in relation to baseline position
To minimise loss of marine historic assets <i>in situ</i>	<i>Survival 41-60%</i> - ie. we estimate 41-60%% extent of survival by comparing the quality and integrity of <i>in situ</i> remains with what evidence exists relating to the marine historic asset in its original form	The size and shape of the site, as defined by the geophysical evidence approximates an elongated oval measuring approximately 56m long by a maximum of 15m wide, orientated roughly south-west to north-east. The visible wreckage appears to be contained within an area of roughly 470m ² . The central 25m of the wreck is the best-preserved part of the site, where the vessel survives to upper deck height, with boilers, paddle and crankshafts, fragments of paddlewheel, and (probably) engines, funnel bases and associated pipework surviving <i>in situ</i> (Wessex Archaeology 2009). To the NE of the upstanding midships section, the line of the hull can be traced and transverse bulkheads are visible; to the SW there are few if any upstanding features but there is significant potential for buried elements of the vessel to survive, including structure and archaeological deposits relating to the vessel's construction and use. Two distinctive mounds of the ship's coal are visible on the NE and SW sides of the midships section.
To minimise deterioration of site condition of marine historic assets	<i>Extensive problems</i> – ie. widespread evidence of deterioration or damage affecting 50% or more of the asset. This could be caused by one or more factors, such as erosion or deterioration affecting structures, leading to severe structural problems or collapse.	The wreck lies on a gradually sloping bank of sand and gravel at a general depth of 27m, in a relatively sheltered location with currents of up to 0.6m predicted at spring tides. Although no evidence of sedimentary deposition or erosion was observed at the time of archaeological assessment in 2008, anecdotal reports indicate variable sediment levels over the site, with features becoming exposed then covered again, possibly on a seasonal basis. These mobile sediments are likely to originate from the river catchments of the upper Clyde estuaries (Firth and Collins 2002). Evidence of active corrosion and mechanical degradation has been observed of the ferrous hull plating and boilers, leading to structural collapse, with anecdotal reports confirming significant deterioration to the paddlewheels during the last 10-15 years.

Table 2 – Draft preservation objectives for the proposed Iona I Historic MPA in relation to site condition/survival, together with baseline status of indicators.

Management

This section aims to set out the basis for operational advice by Historic Environment Scotland (HES) in relation to the proposed Iona I Historic MPA, and to explain what the implications of designation will be for developments/activities within the protected area and nearby. This information and advice will be kept under review.

Managing impacts through duties on public authorities, marine planning, and licensing processes

Designation of the Iona I Historic MPA will place a duty on public authorities with functions capable of adversely affecting marine historic assets to carry out those functions in a way that best furthers or, where this is not possible, least hinders the stated preservation objectives. To fulfil this duty, public authorities will have to consider and implement changes in the way they carry out their functions to deliver benefits for/ minimise adverse effects on the *Iona I* Historic MPA, taking advice from Historic Environment Scotland.

- When preparing local development plans; marine plans; and fisheries management plans relevant to this location, as well as other programmes, policies and strategies, public authorities must take account of the preservation objectives for the proposed *Iona I* Historic MPA.
- Competent authorities with responsibilities for issuing authorisation for all developments and licensable activities (for example, through marine licensing; planning permission; issuing of seabed leases) within and outwith the boundaries of the protected area must consider impacts on the preservation objectives for the proposed *Iona I* Historic MPA, taking advice from Historic Environment Scotland. Decisions must also be taken in accordance with the relevant marine plans and policies.
- Where their functions or acts which they intend to undertake may significantly hinder the achievement of the preservation objectives proposed for this Historic MPA, public authorities will be required to Historic Environment Scotland. Historic Environment Scotland 28 days to respond and public authorities must have regard to advice or guidance given by Historic Environment Scotland.

Operational advice for the proposed Iona I Historic MPA

The following advice is intended to enable sea-users and public authorities to prioritise beneficial management of activities that might otherwise hinder the preservation objectives for the proposed *Iona I* Historic MPA. The seabed within this area preserves archaeological remains that represent a finite, non-renewable resource, the survival of which could be affected by a complex interplay of processes originating from sources that may be naturally occurring (e.g. chemical, biological or physical factors) or man-made (Historic Scotland 2012a, 8). Table 2 indicates which key pressures are known currently although there are additional pressures which could hinder the

preservation objectives were they to occur. In summary, this site is considered most vulnerable to the following impacts from man-made operations:

- Direct impacts – physical damage/loss/alteration arising from: a) collision/abrasion by construction/extraction activities; commercial fishing operations which impact on the seabed (particularly demersal trawling); anchoring/mooring of vessels within the protected area, particularly commercial vessels; and b) the selective removal of artefacts and/or excavation of sediments by diving/salvage/archaeological operations within the protected area.
- Indirect impacts – alteration/loss of marine historic assets arising from any construction/extraction/dumping at sea/commercial installation operations in the vicinity which might exacerbate erosion of sediments or result in significant changes to seabed biology/water chemistry within the proposed protected area. No impacts on setting are envisaged.

Historic Environment Scotland's Strategic Heritage Management Team will be pleased to provide detailed operational advice where impacts are anticipated on a case by case basis. The basis for this advice is set out in Table 3.

Requirements for Marine Conservation Orders and/or Fisheries Management measures

A Marine Conservation Order (MCO) under section 85 of the 2010 Act is not considered necessary to manage activities at this site at the current time. However, this position will be kept under review. As regards commercial fisheries, the wreck is charted and likely to be avoided by trawling vessels, not least as commercial fishing does not take place within the shipping channel. It is therefore not considered necessary to bring forward fisheries management measures at the current time. Historic Environment Scotland will, however, keep the need for such measures under review in discussion with the industry and Scottish Government.

	Operational advice following HMPA designation
Construction/ extraction/ dumping within the protected area	As the wreck is considered highly vulnerable to such activities and the spatial footprint of this proposed protected area is small, developers and sea-users will normally be advised on heritage grounds to plan developments in a way that completely avoids the area and precludes any direct impacts. However, there may be cases where installation of scientific monitoring equipment is desirable to support the preservation objectives, subject to permissions.
Construction/ extraction/ dumping at sea/ operation of commercial installations in the vicinity	Proposals for such activities in the vicinity (e.g dredging to deepen or maintain shipping channels) should carefully assess likely impacts on hydrodynamic processes and any seabed biology/water chemistry over the protected area and, where appropriate, consider ways to mitigate the impacts concerned. Significant impacts on the 'setting' of the marine historic asset from shoreline/marine developments in the vicinity are not anticipated at this time.
Recreational diving, bathing, within the protected area	Recreational diving is discouraged by Clydeport because of the wreck's location a narrow channel, where frequent shipping movements take priority. Should permissions be granted by Clydeport for diving to take place, no artefacts should be recovered nor the wreck damaged or disturbed in any way. Anyone who does visit the wreck is encouraged to provide a brief report about their visit to Historic Environment Scotland, to assist in monitoring this important wreck.
Scientific and archaeological investigation of marine historic assets within the protected area	Subject to the comments above on diving access to the site, non-intrusive scientific/archaeological survey work can take place and dissemination of information and knowledge is encouraged. However, intrusive activities, including archaeological excavation, sediment sampling or the recovery of objects of historic interest are subject to marine licensing: you should discuss your project at an early stage with Historic Environment Scotland, and you will probably need to apply to Marine Scotland Licensing Operations Team (MS-LOT). MS-LOT will take advice from Historic Environment Scotland about whether these activities should proceed, subject to conditions.
Boating, vessel traffic, including anchoring and laying of moorings	Vessel traffic within the narrow channel and is subject to management by Clydeport but no special vessel restrictions through the area are required on heritage grounds. Use of anchors should be avoided and laying of moorings should be avoided within the protected area to avoid impacts to the wreck and in any case , anchoring and mooring within the shipping channel is prohibited by Clydeport within the narrow channel.
Commercial fisheries	Demersal techniques within the protected area must not be used as they are likely to cause catastrophic damage. As there is a risk of snagging creel lines on exposed features, and potentially of destabilising sediment deposits, the use of creels should also be avoided within the protected area. In any case, Clydeport does not allow these activities within the narrow channel.

Table 3 – Operational advice in relation to the proposed [Iona I] Historic MPA.

Further guidance

Historic Environment Scotland's guidelines on the selection, designation and management of Historic MPAs set out further information on the management process for Historic MPAs (Historic Scotland 2012a). Historic Scotland (2012b) also produced a guidance booklet about Historic MPAs.

Annex A - Partial Business Regulatory Impact Assessment (BRIA)

Title of Proposal

Designating an area of the Scottish territorial seas as the Iona I Historic Marine Protected Area under the Marine (Scotland) Act 2010.

Purpose and intended effect

Background

The Marine (Scotland) Act 2010. The 2010 Act includes powers to conserve Scotland's outstanding marine natural and cultural heritage through a single system of Marine Protected Areas, with Historic MPAs used to protect 'marine historic assets' of national importance. Schedule 4 part 2 (4) of the 2010 Act provides powers to repeal section 1 of the 1973 Act through commencement order procedure.^c

Objective

Historic Scotland's *strategy for the protection, management and promotion of marine heritage 2012-15* ('the *Marine Strategy*') established an objective of delivering a well-managed group of Historic Marine Protected Areas, designated under the Marine (Scotland) Act 2010. As part of work to deliver this objective, Historic Scotland committed to considering a small number of currently undesignated sites for protection on the basis of 'national importance'. This work is being continued by Historic Environment Scotland, since its establishment on 1 October 2015 as the new lead public body for the historic environment, and advisor to Scottish Government on Historic Marine Protected Areas. This BRIA assesses the impact of the proposed designation of the wreck of the *Iona I* paddle steamer, Inner Clyde Estuary.

Rationale for Government intervention

The proposed action is a commitment from Historic Scotland's *Marine Strategy* (Historic Scotland 2012c), and forms part of a programme of work to help protect and, where appropriate, enhance our most important marine heritage assets in such a way that they can be valued, understood, and enjoyed. By delivering its objective and aligning marine heritage protection within the Scottish Government's overall approach to the management of the marine environment, Historic Environment Scotland will be helping to support the Scottish Government's vision for a 'clean, healthy, safe, productive and biologically diverse marine and coastal environment that meets the long term needs of people and nature'. In so doing, Historic Environment Scotland is also contributing to the Scottish Government's National Performance Framework's Strategic Objectives:

- We value and enjoy our built and natural environment and protect it and enhance it for future generations.
- Our public services are high quality, continually improving, efficient and responsive to local people's needs.

The step proposed is in line with the UK Marine Policy Statement^d and the Scottish Historic Environment Policy (Historic Scotland, 2011). It also helps to deliver

^c The repeal of the 1973 Act in Scotland has not yet been commenced so the legislation currently remains in force

^d <http://www.scotland.gov.uk/Resource/Doc/295194/0115242.pdf>

international obligations under the European Convention on the Protection of the Archaeological Heritage – more commonly known as the ‘Valetta Convention’ – which requires that the historic environment, on land and under water, is protected.

Consultation

In preparing the priorities for action set out in its *Marine Strategy*, Historic Scotland carried out a detailed programme of stakeholder engagement. This included publication in association with the Built Environment Forum of Scotland (BEFS) of a discussion paper *Towards a strategy* (Historic Scotland 2009). Public consultation on the strategy followed in 2011.^e Changes were made on the basis of feedback received and the final version published online (Historic Scotland 2012c).

Additional engagement on matters in relation to Historic MPAs has taken place through the Scottish Government’s Marine Strategy Forum, and, through bi-lateral meetings with industry and other interested parties, including representatives of the fisheries, ports and heritage sectors.

All parties with an interest in the specific proposals set out here are invited to comment during the consultation period on the detail of this designation proposal and BRIA.

Options

In the circumstances, the Scottish Ministers have considered two options:

Option 1 – the ‘do nothing’ option. Statutory protection for a site of national importance is not taken forward. Marine planning might afford some level of protection, but there would be no statutory scheme preventing damage to or removal of any part of the wreck.

Option 2 - designate the site as an Historic MPA. This is the preferred option as Historic Environment Scotland’s review of the information relating to the historic wreck *Iona I* has concluded that the site fully meets the criteria of national importance to merit statutory protection (see Annex B) and that it is desirable to take forward designation as a Historic MPA. Designation takes forward the policy decisions approved by the Scottish Parliament under the Marine (Scotland) Act 2010 and contributes to the objective of establishing a well-managed group of Historic MPAs in the seas around Scotland to help protect Scotland’s most important marine historic assets in such a way that they can be valued and enjoyed. The designation responds in particular to a priority identified in Historic Scotland’s marine heritage strategy 2012-15, relating to the protection of wreck sites relating to maritime themes of particular relevance to Scotland – in this instance, Clydebuilt maritime heritage, the history of the paddle steamer, and Scotland’s involvement in blockade-running during the American Civil War. Protection is achieved by virtue of a single system for Marine Protected Areas to protect Scotland’s outstanding marine natural and cultural heritage that is aligned with the new marine planning/licensing system.

Evidence base for the impact of the options

Historic Environment Scotland has considered the impact of the options against socio-economic data published in National Marine Planning interactive (NMPi). Prior to consultations, discussions have also been held with stakeholder groups in the Firth of Clyde. A presentation was given to the Firth of Clyde Forum on 5 November 2014.

^e <http://www.historic-scotland.gov.uk/index/about/consultations/closedconsultations.htm#marine-strategy>

Bilateral discussions held with Clydeport, and the Clyde Fishermens' Association. Socio-economic interests are summarised in the table overleaf.

Socio-economic activity	Description of activity
Aquaculture	No current activity and none understood to be planned nearby.
Developed Coasts	Coast largely developed in vicinity of the wreck.
Discharges / Waste Disposal	The nearest dredge disposal site is off Cloch Point, c. 5km to the W of the wreck.
Energy Generation and Transmission	No current generation activity or planned generation activity is understood to be planned in the area. No cabling is known to run through the area.
Fisheries	Although SCOTMAP data indicates that use of creels for lobster crab potting and nephrops trawls is recorded as occurring in this area of the wreck, discussions with the Clyde Fishermens' Association indicate that trawling does not take place this far into the Clyde; potting is unlikely to happen within the Firth of Clyde shipping channel as a result of the requirement to avoid impeding navigation by ships through the narrow channel.
Flood and Coast Protection	No significant infrastructure of this nature is noted in the area of the wreck.
Gathering / Harvesting	Sea angling is popular in the Firth of Clyde and observations of fishing lines on the wreck suggest that the site of the wreck may be used occasionally by sea angling boats although the location of the wreck within the shipping channel would seem to make this an irregular occurrence.
Marine Traffic	The Clyde is a very busy shipping area and port operations are controlled by Clydeport as Harbour Authority. The site lies 100m inshore of the Whiteforeland navigation buoy within the Firth of Clyde Channel for shipping. Vessels of up to 80,000 tons use this channel.
Military Activity	The waters of the Clyde are denoted as a military exercise area. However, most of the naval vessels to Faslane use the Ardmore Channel to the N of the site.
Mineral Extraction	None known or known to be planned in area.
Oil and Gas	None in this region.
Recreation and Access	The site lies within the navigational area managed by Clydeport and diving can therefore only take place within the permission of Clydeport – the site has however proved of interest to diving groups in the past (Moir and Crawford, 2004). Anchoring by yachts is also subject to the same restrictions within the Firth of Clyde Channel.

Table 4 – socio-economic activities at the wreck site of Iona I (data from National Marine Plan Interactive (<http://marinescotland.atkinsgeospatial.com/nmpi/>))

Costs

Costs to industry

Option 1 – There would be no additional costs to industry.

Option 2 – Under this option, activities that might affect the preservation objectives for the Historic MPA will be considered through marine licensing or planning processes.

However, as the area proposed for designation is very small and will in most instances be able to be avoided by developers and sea-users, it is not considered that designation will place a significant burden on marine stakeholders beyond some possible additional costs where assessment of archaeological impacts is required prior to consenting. The only instance where a significant burden might be envisaged would be in relation to plans to widen and deepen the navigation channel into the Clyde, for instance to allow access by larger vessels. If plans of this nature impacted on the designated site and were given consent on the basis of potential economic gain outweighing the importance of the site, the costs of archaeological investigation to mitigate impacts would be likely to be significant. Historic Scotland's understanding is that this scenario is highly unlikely.

Assessment of future economic opportunities

Although there are benefits associated with the various options (see below), these do not equate to economic opportunities that can be quantified in a meaningful way.

Costs to Government and Historic Environment Scotland

Costs to Historic Environment Scotland include costs in advising on designations, ongoing high priority recording/monitoring work on designated sites, advising on the management of designated sites, and providing support to local stakeholders. Costs to Scottish Government include administration relating to designation orders and any subsequent orders relating to management.^f

Option 1 – there are no costs to the Scottish Government.

Option 2 – Ongoing monitoring costs for the site are estimated at £30k every five years. There will be a small cost for Historic Environment Scotland to provide advice to Marine Scotland on designations, marine licensing applications and to public authorities on functions they exercise. These costs are tentatively estimated at £200 per application.

Benefits

Option 1 – There are no benefits as no statutory protection exists.

Option 2 – statutory protection as an Historic MPA does not limit responsible access subject to existing restrictions in place due to the location of the wreck within the Shipping Channel. As a result of these restrictions, increased tourist access to the site is not envisaged. However, Historic Environment Scotland will be publishing information about the wreck which may be of interest to researchers and others, and help to promote understanding through 'virtual' access. The economic value of this is difficult to quantify in any meaningful sense.

Economic Impact Assessment

On balance, Option 1 results in no change. Option 2 is likely to result in a modest increase in administrative costs to government and business.

Scottish Firms Impact Test Scottish Firms Impact Assessment

^f See [http://www.scottish.parliament.uk/S3_Bills/Marine%20\(Scotland\)%20Bill/b25s3-introd-en.pdf](http://www.scottish.parliament.uk/S3_Bills/Marine%20(Scotland)%20Bill/b25s3-introd-en.pdf) page 52

Given that the proposed protected area is very small, the preferred option (option 2) is likely to have a minimum impact on Scottish firms by comparison with the status quo (option 1).

Competition Assessment

There is little evidence of competition over this relatively small area of seabed. As such, none of the options is likely to have a significant impact.

Enforcement, sanctions and monitoring

Option 1 – No enforcement and monitoring framework is in place.

Option 2 - Monitoring would be carried out primarily by periodic site visits on behalf of Historic Environment Scotland (HES) from a marine archaeology services contractor . HES will continue to work with local communities, the police and other justice partners on enforcement. However, the 2010 Act also provides enforcement powers to Marine Enforcement Officers (MEOs), include boarding vessels and marine installations, entering and inspecting premises and vehicles, powers of search and seizure, forcing vessels to port, and requiring production of certain information. The Financial Memorandum for the 2010 Act envisaged a cost of enforcement action associated with Marine Protected Areas of £12,000 per site per year. It envisaged that Marine Scotland will take the lead role, closely working with HES and other justice partners on Historic MPAs. Given that the Iona I Historic MPA is at such a small scale and is adjacent to the coast, this estimate is considered excessive in the circumstances.

Implementation and delivery plan

Depending on the outcomes of the consultation, the proposed designation of the Iona I Historic MPA is expected to take effect shortly after the consultation closes. Publication and notification procedures set out in section 75 and 76 of the 2010 Act will ensure that persons likely to be affected by the designation will be made aware of the resulting course of action.

Post-implementation review

HES will keep the designation and its implications under review over the first 2 years of its use and propose amendments if and when appropriate.

Summary and recommendation

The recommended option is to designate the wreck of Iona I as an Historic MPA. This option takes forward the policy decisions approved by the Scottish Parliament in enacting the Marine (Scotland) Act 2010, and ensures a common approach to the protection of Scotland’s outstanding marine natural and cultural heritage. The designation responds in particular to a priority identified in Historic Scotland’s marine heritage strategy 2012-15, relating to the protection of wreck sites relating to maritime themes of particular relevance to Scotland – in this instance, Clydebuilt maritime heritage, and the history of the paddle steamer. Alignment with the new marine planning/licensing system helps to minimise duplication of effort on consenting regimes and therefore costs to both industry and government.

Summary costs and benefits table

Option	Benefits	Cost
1 – Do nothing	No benefits	No cost

– Do not designate		
2 – designate as an Historic MPA	<p>Site has statutory protection</p> <p>Aligns with marine planning/ licensing arrangements;</p> <p>Common enforcement powers for all Marine Protected Areas</p>	<p>Ongoing monitoring cost (estimated at £30k every 5 years) to Historic Environment Scotland</p> <p>Advice to Marine Scotland on marine licensing (average £200 per annum for 1 application cost to SG/Historic Environment Scotland)</p> <p>Costs of enforcement are uncertain at the current time but considered likely to be significantly <£12k per annum.</p> <p>Some costs to industry where archaeological considerations need to be made prior to consenting of activities in the area and immediate vicinity.</p>

Declaration and publication

I have read the Business and Regulatory Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) that the benefits justify the costs.

Signed:

Date: