

Historic Marine Protected Area Summary

Reference number: HMPA7

Name	Duart Point Historic MPA
Date of designation	1 November 2013
Date last amended	N/A
Duration of designation (urgent designations only)	N/A
Marine Conservation Orders in force	N/A

Boundaries of Historic Marine Protected Area

The area of sea within a distance of 75 metres of position^(a) latitude 56° 27'.440 north, longitude 05° 39'.386 west, excluding any seashore lying above mean high water spring tide.

Marine historic asset(s)

The marine historic asset located within the Duart Point Historic MPA is the remains of a vessel lying wrecked on or in the seabed believed to be that of a small 17th-century warship, probably the *Swan*, 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 Duart Point Historic MPA and the marine historic asset are:

- to maintain the extent of survival of the marine historic asset within the area;
- to maintain site condition of the marine historic asset;
- to prevent the removal, wholly or partly, of the marine historic asset from within the Duart Point 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;
- 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,c,e.
- to ensure that the disturbance of human remains is avoided except for authorised research and subject to respectful treatment.

(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 Duart Point 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 a small 17th-century warship, probably the *Swan* sent by Oliver Cromwell as part of a Commonwealth flotilla of ships to capture Duart Castle, Mull, in 1653. The remains lie at a depth of approximately 8-10m below chart datum close to Duart Point, a rocky promontory on the Isle of Mull shore, close to the southern entrance to the Sound of Mull. The site of the wreck is overlooked by Duart Castle.



Site plan of Duart Point showing area (A) excavated in c.2003 © RCAHMS (Colin & Paula Martin collection). Licensor www.rcahms.gov.uk

Statement of National Importance

Outstanding levels of preservation evidenced at Duart Point by a decade of detailed archaeological investigation demonstrate that this marine historic asset is of national importance. The rich array of artefacts likely to remain on the seabed and buried within it, combined with the survival of well-preserved ship's structure, mean that this site retains an inherent potential to make a very significant addition to our understanding of the past, and in particular, the design, construction and functioning of small warships during the 17th century. Our understanding of the significance of this wreck is further enhanced by its proximity to Duart Castle, the target of Colonel Cobbett's attack in connection with well-documented Commonwealth naval activity in Scotland after the Civil War. The survival of this wreck and that of the nearby *Dartmouth*, lost in an attack on Duart Castle in 1690, adds significantly to our understanding of the coastal landscape bordering the historically significant sea-route through the Sound of Mull, and the growing vulnerability of Scottish coastal castles to attack by seaborne artillery during the 17th century.

The Duart Point wreck is located within an area that is very popular for recreation and tourism (in particular sport diving). Designation can help to promote the heritage value of the site, foster its understanding and enjoyment, and encourage responsible behaviour by divers and others.

Intrinsic characteristics

A diver identified a post-medieval period wreck close to Duart Point around 1979 and the site has been subject to detailed archaeological survey, rescue excavation and site stabilisation work during the period 1991-2003. The investigations revealed particularly well-preserved elements of the structure of a wooden vessel, including the collapsed stern, comprising the bottom part of the rudder, sternpost and associated components detached from the keel; the lower hull, comprising frames, inner and outer planking, and mast-step; and the less well-preserved remains of the collapsed bow. After investigation, these features have been protected beneath sand bags to aid their preservation and to encourage the consolidation of surrounding seabed sediments and natural growth. Rescue excavations also identified and recovered a wide range of artefacts, including carved decorative features from the ship, rigging elements, small arms and one small cannon with carriage, silver coinage, ceramics, navigational equipment, galley remains, personal effects, the disarticulated bones of one human being, and plant, animal and fish remains. Recovered finds are in the permanent collection of the National Museums of Scotland. Two distinctive stone ballast mounds, seven cast iron guns and one wrought iron anchor remain visible on the seabed. As the rescue investigation was only partial and recovery was relatively limited, there is further potential for human remains, and substantial sections of the ship's structure and artefacts are known to remain buried within a sediment-rich seabed environment. As such, this site retains significant archaeological potential. Relatively few wreck sites pre-dating the early 19th century have survived in Scottish waters, and well-preserved examples that have been investigated systematically by archaeologists are particularly rare in the UK.

The dating of individual artefacts by historical research indicates that the wreck occurred sometime after the early 17th century. Documentary records indicate the loss at this location of three ships in a six-strong Commonwealth flotilla sent in September 1653 under the command of Colonel Ralph Cobbett to capture Duart Castle, seat of the Clan Maclean, who retained Royalist sympathies in the aftermath of the English Civil War (1642-1651). Archaeological interpretation of the remaining ship structure and finds suggests that this wreck is probably that of a warship, the *Swan*, recorded as lost together with the *Martha and Margrett* of Ipswich and the *Speedwell of Lyn*. The origins of this ship are uncertain but it may have been a private warship belonging to the Marquis of Argyll. It is likely that the *Swan* had a crew of 60 and was armed with as many as 8 substantial guns. She was equipped with oars as well as sails.

Contextual characteristics

The wreck is overlooked by Duart Castle, seat of the Clan Maclean and target of the flotilla's expedition to the Sound of Mull. Despite searches of the surrounding seabed, the remains of the other two vessels reported as lost from Cobbett's squadron have not been identified. There is, however, potential for further evidence to be preserved in the vicinity. The Duart Point site should also be considered alongside two other 17th-century historic wreck sites that have survived in or around the Sound of Mull: the fifth-rate frigate

Dartmouth, lost in 1690 off Eilean Rubha an Ridire, Morvern; and a wreck off Mingary Castle, Ardnamurchan, lost in 1644. In each case, these wrecks occurred in relation to planned assaults on coastal castles located along the strategically significant coastal sea-way of the Sound of Mull. This group of wrecks illustrate how Scottish coastal castles became vulnerable to attack by seaborne artillery during the 17th century.

Associative characteristics

This mid-17th-century wreck of a small warship, probably the *Swan*, relates to attempts by Oliver Cromwell to stamp out pockets of Royalist resistance to Parliamentary rule that continued throughout the Western Isles in the aftermath of the Civil War. There are many contemporary documents relating to Scottish aspects of the Civil War and several that relate to the activities of Cromwell's New Model Army in Scotland during the 1650s. A letter to Cromwell from Robert Lilburne (the senior Commonwealth commander in Scotland) details Cobbett's expedition to Duart Castle and the wrecking.

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Historic Scotland 2012a, Guidelines on the Selection, Designation and Management of Historic Marine Protected Areas - copy available at <www.historic-scotland.gov.uk/historic-mpa-guidelines.pdf>

Historic Scotland 2012b, Historic Marine Protected Areas, a guide for visitors, investigators and managers – copy available at <www.historic-scotland.gov.uk/historic-mpa-leaflet.pdf>

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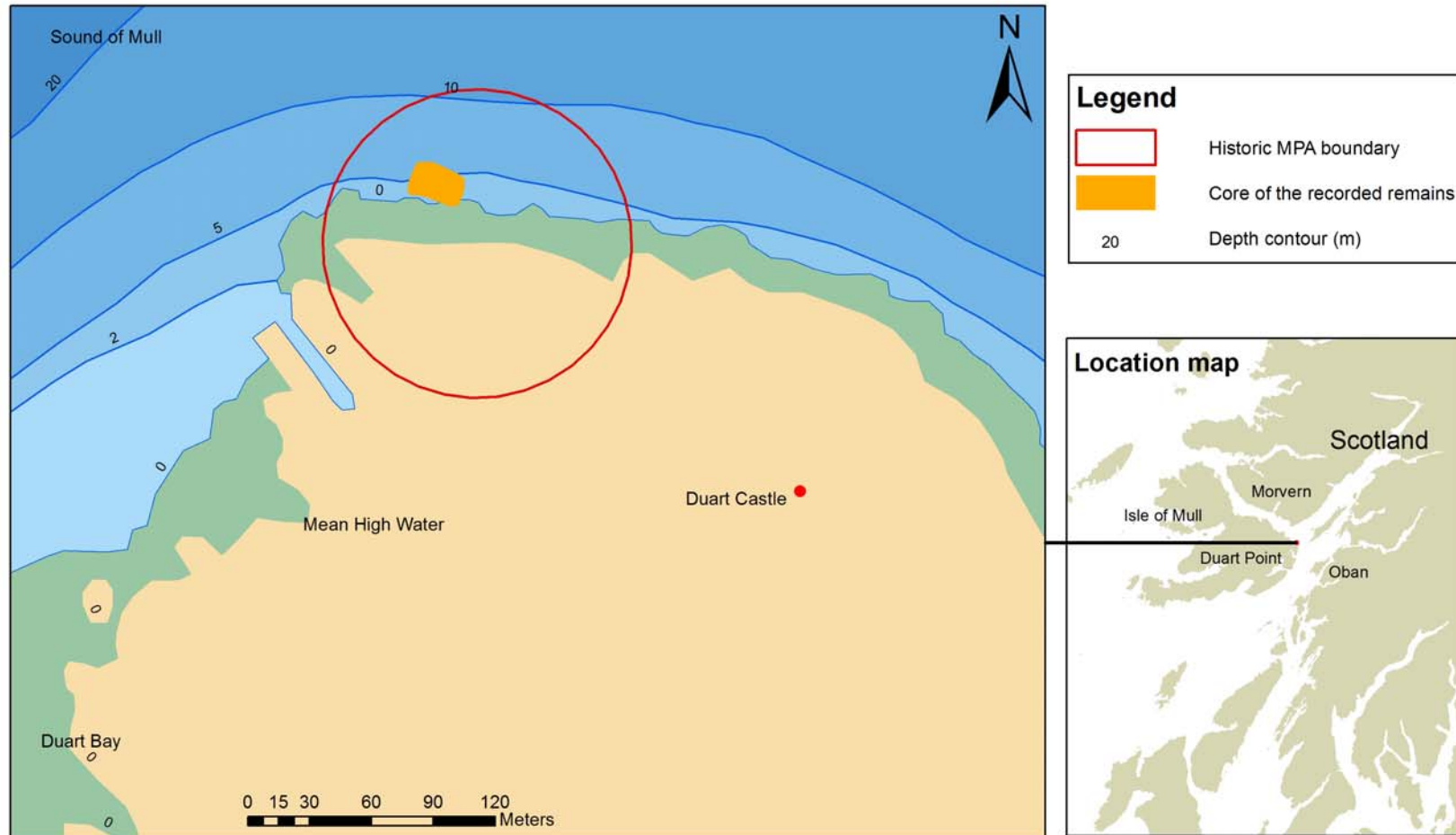
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RCAHMS record the site as NM73NW8005 <www.rcahms.gov.uk>

Historic Marine Protected Area: Duart Point



Boundary of the Duart Point Historic MPA: the area of sea within a distance of 75 metres of position latitude 56° 27'.440 north, longitude 05° 39'.386 west (WGS84), excluding any seashore lying above mean high water spring tide. 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 guide the management of Historic MPAs according to the specific needs of individual areas. Objectives for the Duart Point Historic MPA are focused around maintaining the extent of survival of marine historic assets *in situ* and maintaining site condition. Additional objectives set out 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. To enable monitoring of progress against these objectives by Historic Environment Scotland, information relating to the survival of marine historic assets and site condition is set out in the table below and overleaf, based on archaeological investigations undertaken by the University of St Andrews (1991-2003) and site monitoring by Wessex Archaeology, the Sound of Mull Archaeology Project (SOMAP), and Cotswold Archaeology .

Objective	Current indicator status and descriptor	Detail in relation to baseline position
To maintain the extent of survival of the marine historic asset within the area	<i>Survival 21-40%</i> - ie. we estimate 21-40% 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	Substantial sections of the hull structure remain, including the well-preserved but collapsed stern of the ship, frames and planking along the full section of the lower hull, and less well-preserved and collapsed structure towards the ship's bow. The limited scope of the rescue recovery operation, combined with the range of artefacts and environmental samples identified (including human remains), suggests that a wide range of material is likely to remain <i>in situ</i> . Visible features on the seabed surface include 7 cast iron guns, 1 wrought iron anchor and 2 distinctive stone ballast mounds. Elements of structure may on occasion also be visible on the seabed surface and the presence of further human remains cannot be discounted.

To maintain site condition of the marine historic asset	<i>Optimum condition</i> – ie. the best that we can realistically expect to achieve, with very little or no signs of erosion, or signs of deterioration or other damage within the area	The wreck lies on a seabed of sands and gravels interspersed with larger stones and occasional boulders, immediately offshore of the shallow rocky cliff that surrounds Duart Point. From the base of this cliff, the seabed slopes gently until well beyond the known site, where there is a pronounced drop-off. An ebb tidal flow of up to 1.5 knots across parts of the site results from the eastwards drainage of Duart Bay into the Sound of Mull. This tide, combined with back eddies around Duart Point, appears to have been responsible for accumulation of fine-grained silt sedimentary cover across the site. However, at the time of the 1991-2003 investigations, erosion of sediments inshore was observed and a programme initiated to recover threatened elements of the site. Archaeologists observed significant sediment erosion when spring tides coincided with a strong NW wind. Stabilisation using emplacement of c.700 sand bags overlying the principal areas of the wreck structure took place in 1993-1995 and at the close of investigations in 2003. In addition, experiments took place in 1995-1999 to measure the rates of corrosion of iron guns and anchors and apply sacrificial protection using zinc anodes. Conservators believe that, due to the positive effect of both sand-bagging and use of anodes, corrosion has been stabilised and the 'in-situ conservation of iron guns has been completed' (Macleod, 2013; 389). Monitoring visits under the UK-wide Contract for Archaeological Diving Services in 2000 and 2003 observed improvements in the stability of the site and re-colonisation of the seabed by kelp (<i>Laminaria Sp</i>). Subsequent reports by visiting divers between 2004-10, and by Cotswold Archaeology in 2014, suggest that the site continues to be relatively stable.
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Management

Designation of the Duart Point HMPA places 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 must consider and implement changes in the way they carry out their functions to deliver benefits for/ minimise adverse effects on the Duart Point 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 Duart Point 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 Duart Point 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 for this Historic MPA, public authorities are required to notify Scottish Historic Environment Scotland. Historic Environment Scotland has 28 days to respond and public authorities must have regard to advice or guidance given by Historic Environment Scotland.

Operational advice for the Duart Point 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 Duart Point 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 – eg scallop dredging); anchoring/mooring of vessels within the protected area; and b) the selective removal of artefacts and/or

excavation of sediments by diving/archaeological operations within the protected area.

- Indirect impacts – alteration/loss of the marine historic asset 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 protected area. Given the evidence for tidal regimes in the area, developments in Duart Bay may be considered most likely to result in such trans-boundary impacts.

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 the table overleaf.

Operations/ Activities	Operational advice following HMPA designation
Construction/ extraction/ dumping within the protected area	As the marine historic asset is considered highly vulnerable to such activities and the spatial footprint of this protected area is small (0.8 hectares), developers and sea-users will normally be advised to plan developments in a way that completely avoids the area and precludes any direct impacts. However, there may be cases where carefully managed emplacement of sand-bags/other forms of geotextile membrane within the protected area or scientific monitoring equipment is desirable to support the preservation objectives.
Construction/ extraction/ dumping at sea/ operation of commercial installations in the vicinity	Proposals for such activities in the vicinity, particularly in Duart Bay, 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. This advice is likely to be relevant for activities not currently present nearby, but which are practised elsewhere in the Sound of Mull, such as fin-fish and shellfish aquaculture. 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	Responsible recreational diving is encouraged. Feel free to take photographs or video during visits, but do not recover artefacts, damage or disturb the marine historic asset in any way. Also, please do not displace sediments or remove weed as this is helping to maintain the stability of the wreck site. Any shot lines to aid diver access to the site should be carefully placed and not used as mooring lines for a dive vessel. Maintaining good buoyancy control also helps to minimise impacts to the site. Anyone diving within the protected area is encouraged to provide a brief report about their visit to Historic Environment Scotland, to assist in monitoring this important wreck. Should you wish to learn more about this wreck site, the Lochaline Dive Centre offers educational tours for divers and there is an exhibition in Duart Castle.
Scientific and archaeological investigation of the marine historic asset within the protected area	Non-intrusive scientific/archaeological survey work is encouraged, as is dissemination of the information and knowledge which results. However, intrusive activities, including archaeological excavation, sediment sampling or the recovery of objects of historic interest are subject to marine licensing: you will need to apply to Marine Scotland Licensing Operations Team (MS-LOT) who 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	Boating is generally encouraged provided that no damage or disturbance of the marine historic asset occurs. For example, boat owners should avoid the use of anchors within the protected area, except in instances of maritime distress to save life or secure the safety of a vessel. Laying of moorings should be avoided within the protected area. However, there may be instances where laying of temporary seabed moorings is desirable to support sustainable access to the site. Where this is the case, care should be taken to place moorings away from the known extent of archaeological remains.
Commercial fisheries	There is no evidence that pelagic / demersal fishing (eg. scallop dredging) takes place over this site, but it may take place nearby. 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 anchors/ cannon, and potentially of destabilising sediment deposits, the use of creels should also be avoided within the protected area.

Operational advice in relation to the Duart Point Historic MPA.

Further guidance

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 for visitors, investigators and managers.

About the Historic Marine Protected Area Summary

This record summarises information relating to an Historic Marine Protected Area designated under section 67 of the Marine (Scotland) Act 2010. A copy of the Designation Order – the signed legal document – is available from Historic Environment Scotland, Longmore House, Salisbury, Edinburgh, EH9 1SH.

About Historic Marine Protected Areas

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

Historic MPAs are areas of Scottish territorial seas (0-12 miles) designated by Scottish Ministers on advice from Historic Environment Scotland, for the purpose of preserving marine historic assets of national importance. Historic MPA designations may occur in relation to priorities identified by Historic Scotland. Third parties may also nominate candidates for consideration. In either case, Historic Scotland undertakes an assessment against criteria of '[national importance](#)' to ensure that only the most significant sites are protected – where statutory protection makes a difference.

Once designated it becomes an offence within an Historic MPA to intentionally or recklessly remove, alter or disturb marine historic assets, or carry out works or activities in the area which damage or interfere with a marine historic asset or have a significant impact on the protected area, in a way that significantly hinders the 'preservation objectives' for the Historic MPA. It is also an offence to contravene any Marine Conservation Order in force.

Exceptions to offences are if the act has been carried out in accordance with a) the duty on public authorities or b) a consent (e.g marine licensing/planning permission); or it was necessary for national security, crime prevention/detection or securing public health. There are also defences if the prohibited act was carried out in emergency and for sea fisheries where the effect on marine historic assets could not have reasonably been avoided.

For further information

On aspects of this designation record, please contact Historic Scotland's designation team, email hs.schedulingteam@Scotland.gsi.gov.uk ; telephone 0131 668 8716.

For management advice, please contact the Strategic Heritage Management team, email hs.heritagemanagement@scotland.gsi.gov.uk , telephone 0131 668 8770.

For marine licensing applications within Historic MPAs, please contact Marine Scotland's Licensing Operations Team, email ms.marinelicensing@scotland.gsi.gov.uk, telephone 01224 295579.