

## **DRUMCLAY CRANNÓG, COUNTY FERMANAGH**

### **The publication of the Review of the context of the excavation of a crannóg in Drumclay townland Co. Fermanagh on the route of the Cherrymount Link Road**

**June 2015**

#### Introduction

From June 2012 until April 2013, archaeologists were engaged in County Fermanagh in one of the most important excavations in these islands for a generation. The excavation was at Drumclay Crannóg, located on the edge of a now largely drained lake, to the north east of Enniskillen. A crannog is an artificial island built of materials such as stone, clay, logs and brushwood, arranged into a platform capable of supporting houses and all the various associated domestic activities. Very few crannogs have been scientifically excavated at all in Northern Ireland, and the last time such extensive remains were investigated in Fermanagh was over 100 years ago. The wetland environment contributes to the good preservation of organic material with wooden and leather objects, and these survive very well in wetland conditions compared to dryland sites. The work revealed an exceptionally well-preserved settlement that was in use from at least the seventh through to the seventeenth century – nearly 1000 years of continuous settlement at this site.

The excavation of Drumclay Crannóg was necessary because of a local road scheme planned by the then Roads Service of the Department of Regional Development (DRD), the A32 Cherrymount Link Road outside of Enniskillen. In late June/early July 2012 there was significant professional and public concern expressed about how the excavation was being conducted, and how much time was being allocated to complete those works. In response to these concerns the then Minister for the Environment, Alex Attwood MLA, inspected the site in July 2012. In discussion with his officials, the Minister instructed that officials in the Department of the Environment (DOE) should pursue a ‘maximum management’ strategy at the site. This involved the unprecedented change in approach to the excavation, whereby DOE took over the leadership of the excavation and, in partnership with DRD, successfully delivered one of the most important archaeological excavations ever conducted here. Following the completion of on-site excavations, work has progressed to conduct the post-excavation analysis and reporting that is needed to bring the archaeological parts of this project to completion. This remains a ‘work in progress’, and completion of this analysis is challenging given the present financial circumstances for DOE.

At the time when DOE intervened in the conduct of the excavation, the then Minister acknowledged the concerns that had been expressed about the context and conduct of

excavation up until that point. Recognising that the DOE regulates archaeological excavations through the issuing of licences under the authority of the Historic Monuments and Archaeological Objects (NI) Order 1995, the then Minister asked that a review be conducted into what DOE's role had been in the lead-up to what happened in June/July 2012, and subsequent events.

On 11 December 2012, the then Minister commissioned Professor Gabriel Cooney, Chair of the Historic Monuments Council, to lead an investigation into the circumstances surrounding the need for this major archaeological excavation. The Terms of Reference for this investigation are set out at Annex 1.

Professor Cooney led the review assisted by, Ms Sara Witchell and Mr Nick Brannon. Professor Cooney submitted his report to Mark H Durkan MLA, the Minister of the Environment, on 21 October 2013. A full copy of the report presented by Professor Cooney is attached at Annex 2.

The primary purpose of the review was to look at the reasons why this excavation became necessary at Drumclay Crannóg, and the role of the Department and, in particular, the Northern Ireland Environment Agency, in the decision-making process concerning the treatment of archaeological remains at this site prior to July 2012. The key finding of the review notes that the circumstances which resulted in the excavation of Drumclay Crannóg were a result of both systemic weaknesses as well as human judgement. The review team made a number of recommendations to improve the operation of the regulatory regime.

In the period since the report was presented to the Department, there has been structural change within the DOE as part of preparations for the creation of nine new departments to replace the existing 12. Within the reorganisation of Departmental functions, Historic Environment Division, which leads on archaeological matters within DOE, has moved from the Northern Ireland Environment Agency to Local Government, Historic Environment and Corporate Services Group within DOE, in preparation for the formation of the new Department for Communities. It is in this context that the recommendations of the review team have been considered.

It is important, in these times of challenge and change, that the lessons learned from the events at Drumclay Crannóg are not forgotten. Having carefully considered the Review Report, outlined in the table below are the Recommendations of the review team, and the response from the Department of the Environment to these recommendations.

The Recommendations of the Review Team, and the DOE Responses to each of these:

**Recommendation 1**

*A written protocol/code of practice should be developed by NIEA: Built Heritage and Roads Service to provide a clear, consistent and transparent framework for the conduct of archaeological work on road schemes. This should include formal agreement on consultation by Roads Service with NIEA: Built Heritage at the earliest possible stage in the process and certainly from the stage at which preferred route options are being considered.*

**Response:** Accepted

In preparation for the creation of new Government Departments in 2016, the Historic Environment Division is now within the Local Government, Historic Environment and Corporate Services Group of the Department of the Environment; it is no longer part of the Northern Ireland Environment Agency (NIEA). This will help facilitate the transition to the new Department for Communities, and provide continuity of service and expertise across the wide range of built heritage functions currently delivered by the Department of the Environment.

**Action Arising**

Work is underway to develop and agree further guidance and protocols between the Department of the Environment and Transport NI specifically for roads schemes with a view to these being agreed by end December 2015.

**Timescale**

By end December 2015.

**Recommendation 2**

*A written protocol/code of practice should be produced by NIEA: Built Heritage and Roads Service for archaeological contractors carrying out work on road schemes. This should include discussion of what is required to fully inform the cultural heritage/archaeological components of Environment Statements and related work, such as Preferred Option reports. Fieldwork and appropriate testing methodologies should be considered as mandatory elements of such work.*

**Response:** Accepted

**Action Arising**

Work is underway to develop and agree further guidance and protocols between the Department of the Environment and Transport NI specifically for roads schemes with a view to these being agreed by end December 2015.

**Timescale**

By end December 2015

**Recommendation 3**

*Where archaeological excavation is considered to be the appropriate mitigation strategy this should be carried out well in advance of road construction. Excavation should be covered by the protocol referred to in 2 above.*

**Response:** Accepted

**Action Arising**

Work is underway to develop and agree further guidance and protocols between the Department of the Environment and Transport NI specifically for roads schemes with a view to these being agreed by end December 2015.

**Timescale**

By end December 2015

#### **Recommendation 4**

*A review of the process of licensing under the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995 has already (been) recognised by NIEA: Built Heritage as necessary. It should now be recognised as an urgent priority. There appears to be no clear policy around the process of awarding or reviewing licences to excavate for archaeological purposes. This review should cover issues such as the granting and review of licences, research design, excavation methodologies, the reporting of finds, public engagement, the long-term curation of excavated material and the dissemination of results. The recently published (2013) Royal Irish Academy discussion paper on archaeological archives in Ireland notes the serious problems that arise from the current situation in Northern Ireland where licensing of archaeological excavation makes no provision for the storage and retrieval of archives and artifacts.*

**Response:** Accepted

#### **Action Arising**

The Department will complete an urgent review of the licensing process and put in place revised arrangements.

#### **Timescale**

By end November 2015.

## Recommendation 5

*It is recognised by NIEA: Built Heritage that if a firmer approach had been taken in relation to the work that took place at Drumclay under licence granted by NIEA some of the difficulties that ensued might have been avoided. Related problems were the workloads faced by staff within the Historic Monuments Unit, NIEA: Built Heritage and that an Assistant Director post was vacant in the unit at the time. Now that the staffing issues have been addressed it is recommended that this is an appropriate time for the operational structure of the Historic Monuments Unit to be reviewed to assess whether it is fit for purpose or whether a revised structure would improve the capacity and performance of the unit in the management of archaeological licensing.*

**Response:** Accepted

### Action Arising

This review will be carried out as part of the preparations for the new departmental structures in 2016.

### Timescale

By end April 2016.

## Recommendation 6

*In the course of the review it was noted that annual Board-level meetings between NIEA and other government agencies (e.g. Water, Forests, Roads Service) appear to have ceased sometime after 2002 and been devolved to an operational level (i.e. Director or below). Such a strategic, Board-level engagement would certainly have been beneficial in the context of the Drumclay crannog and its excavation. It is recommended that consideration is given to renewing and regularising Board-level inter-agency meetings and the minutes of such meetings be copied to the Minister.*

**Response:** Accepted

## Action Arising

The Deputy Secretary for Local Government, Historic Environment and Corporate and Director of Historic Environment Division will meet with counterparts in other government departments on a regular basis and report the outcome of those meetings to the Minister.

## Timescales

Meetings with each other government departments will be arranged on a twice-yearly basis.



Terms of Reference of the Review, as set out by the former Minister for the Environment, Alex Attwood:

1. The relationships and balance therein between the Department of Regional Development (DRD), Roads Service (RS), the Department of the Environment (DOE) and the Northern Ireland Environment Agency (NIEA).
2. Why was the road identified as necessary (as outlined in publicly-available documents concerned with the Roads Order for this project) and were there issues that could have been anticipated and addressed?
3. The timeline of events.
4. The decision-making process concerning the treatment of archaeological remains prior to July 2012.
5. Shortcomings in that process and in the process around archaeology generally.
6. The conduct of the excavation up to early August 2012.
7. The effectiveness of the remedy.
8. Recommendations for the future.

**Review of the context of the excavation of a crannog in Drumclay townland Co.  
Fermanagh on the route of the Cherrymount Link Road**

**Professor Gabriel Cooney  
Mr Nick Brannon  
Ms Sarah Witchell  
(Historic Monuments Council of Northern Ireland)**

## **Background/Context**

This review was undertaken at the request of the Minister of the Environment, Mr Alex Attwood, MLA. Its prime purpose was to investigate the circumstances surrounding the need for the major archaeological excavation of the crannog at Drumclay, Co. Fermanagh (Sites and Monuments Record FERM211:061) on the route of the Cherrymount Link Road, Enniskillen, Co. Fermanagh.

The Terms of Reference of the review covered the following issues:

1. The relationships and balance therein between the Department of Regional Development (DRD), Roads Service (RS), the Department of the Environment (DOE) and the Northern Ireland Environment Agency (NIEA).
2. Why was the road identified as necessary (as outlined in publicly-available documents concerned with the Roads Order for this project) and were there issues that could have been anticipated and addressed?
3. The timeline of events.
4. The decision-making process concerning the treatment of archaeological remains prior to July 2012.
5. Shortcomings in that process and in the process around archaeology generally.
6. The conduct of the excavation up to early August 2012.
7. The effectiveness of the remedy.
8. Recommendations for the future.

The review was undertaken by a sub-committee of the Historic Monuments Council comprised of Professor Gabriel Cooney, chair of the Historic Monuments Council and Mr Nick Brannon and Ms Sarah Witchell, members of the Historic Monuments Council. The Review Team was provided with all the NIEA files, up to the present, and had access to any Roads Service Files that were requested. Hard and digital copies of files were provided as and when requested.

Written statements were sought by the review team, including from all the key individuals involved in the archaeological decision-making process at Drumclay crannog listed in Appendix III. Following on review of these retrospective written statements the review team made the judgement in compiling the report that the real-time documentation provided a secure and sufficient basis for the review.

## **Introduction: Legal and Policy Framework for the Protection of Cultural Heritage in Northern Ireland**

The principal statutory basis for the protection of archaeological sites and monuments in Northern Ireland is the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995. The Order provides a number of mechanisms for the protection of archaeological sites and monuments, but insofar as the Drumclay crannog was not statutorily protected under the Order, only Article 41 (relating to the licensing of archaeological excavations) has relevance in this case.

NIEA also offers advice to Planning NI (both are agencies within the Department of the Environment) on archaeological sites and monuments that are not specifically protected under the Order through the policy framework provided by Planning Policy Statement on Planning, Archaeology and the Built Heritage (PPS 6) 1999. The Policy (broadly) states that there is a presumption in favour of the protection of archaeological sites, but that archaeological excavation may be an option where development and preservation options cannot be reconciled. NIEA is consulted by Planning NI, DOE about developments that are likely to have an impact on some 16,500 archaeological sites (on the Northern Ireland Sites and Monuments Record (NISMR)) and their settings. In assessing such impacts the DOE/NIEA normally require developers to provide information in the form of an archaeological assessment or evaluation. There is also a widely recognised framework in consideration of other proposals that happen outwith Planning NI's determinations. In relation to the Drumclay excavation the proposed road scheme was not subject to a planning application and permission to develop the road scheme was not determined by Planning NI but by Roads Service following a different statutory process.

## **Commentary in relation to Terms of Reference**

### **1. Relationships and balance therein between DRD, Road Service, DOE and NIEA respectively**

Roads Service of Northern Ireland (Roads Service), a business unit within the Department of Regional Development appointed Amey Consulting (Amey) as the scheme designer for the A32 Cherrymount Link Road in 2005. In 2011 McLaughlin and Harvey – P.T. McWilliams J.V. (MHPT JV) were appointed as Main Contractor for the construction of the project.

The Historic Monuments Unit (HMU) of the Built Heritage (BH) Directorate of the Northern Ireland Environment Agency (NIEA, formerly Environment and Heritage Service (EHS)), an agency within the Department of the Environment has responsibility for the operation of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995 and for the provision of advice to the DOE and Planning NI, guided by the Planning Policy Statement on Planning, Archaeology and the Built Heritage (PPS6) 1999.

Appendix I is a summary of the NIEA: Built Heritage files held in relation to Drumclay crannog for the period under consideration. Appendix II is a summary of the relevant Roads Service files for the Cherrymount Link Road and Appendix III lists key people involved in the archaeological decision-making process (see p.3 for comment on sources for the compilation of the report).

In general all parties involved in the A32 Cherrymount Link Road are in agreement that open, transparent and respectful relationships were maintained on the project throughout the period under consideration, even at times when there was significant time pressure and public and media attention on the excavation of the Drumclay crannog.

However, it is clear in reviewing project documentation that there were significant issues in the relationships that need to be considered.

It is notable that while the summary of the NIEA: Built Heritage files held in relation to Drumclay crannog (Appendix I) begins in January 2008, the summary of Roads Service files for the Cherrymount Link road begins in July 2004 (Appendix II). Hence it appears that there was no prior consultation with NIEA: Built Heritage on the Scheme Assessment Report Stage 2: Preferred Route Options Report (2007), on which the route of the road was chosen. The archaeological consultants (John Cronin and Associates) who carried out the Cultural Heritage (Section 3) of the report state in the mitigation section that all archaeological activities regarding the project would be subject to approval from the relevant planning authorities and EHS. But critically EHS does not appear to have been consulted on the choice of route, the weighing up of the environmental impact of the two route options or indeed on the Environmental Statement for the scheme (see Section 2 below).

It is clear from the documentation that NIEA: Built Heritage consistently pointed out from early March 2008 its concern that the proposed line of the route would disturb or destroy the archaeological remains of the crannog, that policy dictated the avoidance of known archaeological sites and the need to clearly identify the location and extent of the site on the ground. As the discussion about the road design developed the significance of the crannog and the cost of excavating the site as a mitigation strategy were stressed by NIEA: Built Heritage. On the other hand Roads Service and Amey still appeared to have some doubts about the location and significance of the crannog: this would appear to date back to the original error made in the Scheme Assessment Report Stage 2: Preferred Options Report of taking the green dot on the (GIS-generated) NISMR map as the precise location of the crannog, rather than taking into account the accompanying written description, which specified its location at the junction of three (Ordnance Survey-mapped) townland boundaries (and directly on the proposed route) coupled with the understandable focus of Roads Service and Amey on the successful completion of the road scheme.

Negotiation of the mitigation of the impact of the road scheme on the crannog extended over three and a half years (January 2008-July 2012), so it is perhaps not surprising that there was some turnover of NIEA personnel involved in relevant meetings. While there was a change in Senior Inspector in the HMU, Built Heritage Directorate having lead responsibility for Drumclay – from Ms Claire Foley to Ms Maybelline Gormley in January 2011 – Ms Foley continued to act as an advisor on the project. But discontinuity was amplified by a change in archaeological consultants in late 2010 from which stage Amey's archaeologist, Mr Declan Hurl, led the discussions on archaeological mitigation on behalf of Roads Service/Amey.

We perceive that a more serious issue may have been the imbalance of seniority/authority relationships between Road Service/Amey and NIEA: Built Heritage. As Principal Professional and Technical Officer and Senior Professional Officer David McKinley and Seamus Keenan (DRD, RS) respectively played a prominent role, as did Steven McKinney (Amey, Roads Service agent). Edith Logue (Archaeological Inspector), Claire Foley (Senior Inspector) and Maybelline Gormley (Senior Inspector) led the discussions on behalf of NIEA: Built Heritage. Dr John O'Keeffe (Principal Inspector), NIEA: Built Heritage only became involved in the operational issues concerning the site in July 2012 and there is no early file record of the referral to or the involvement of the BH Director or the NIEA Board in what was clearly to become a major strategic issue (e.g. costs and road scheme delays). (One example which may be cited is a crisis meeting which was held on 25 April 2012, following the collapse of part of the crannog as a result of engineering works, when Maybelline Gormley (Senior Inspector) was the sole NIEA representative.)

## **2. Why was the road identified as necessary, were there issues that could have been anticipated and addressed?**

The need for the Cherrymount Link Road appears to have been identified since the 1970s. It was included in Fermanagh Area Plan 2007 (p.120) as one of the road proposals for Enniskillen.

### *RD1 The Cherrymount Link Road*

*This road which is partially completed will ultimately link the Irvinestown Road (A32) to the Lower Chanterhill Road and through to the Tempo Road (B80). It will improve accessibility to the proposed industrial and housing zonings at Carran and Knockalough while relieving traffic congestion at Gaol Square and Forthill Street.*

The primary aims of the new link were to provide relief to traffic congestion within Enniskillen town and to provide an alternative, more journey time-reliable connection and link between the A32 Trunk Road to Omagh and A4 Key Transport Corridor to Belfast via the B80 Tempo Road.

The Stage 1 Scheme Appraisal report was completed by Scott Wilson Ferguson McIlveen in July 2004. This shows the proposed route to the west of Drumclay crannog, thus to the west of what was eventually chosen as the route. The report records that no archaeological sites would be lost with this route.

The Scheme Assessment Report Stage 2: Preferred Options Report was carried out by Owen Wilson (Part of Amey) in June 2007. As noted above Section 4.2 of this report (contributed by John Cronin and Associates) considered Cultural Heritage. This was a desktop study. It appears from the report that the green dot location and associated grid reference was taken as indicating the site of the crannog. This was the basis for saying that one of the route options (Option 2/red route) was 80m west of FERM 211:061 and the second option (Option 4/blue route) was 10m west of FERM 211:061 and for commenting that 'no recorded archaeological sites are directly impacted by the proposed scheme'. In assessing the impact of the options on cultural heritage both options were recorded as having a 'slight adverse (-1)' impact. In reality the preferred Option 4/blue route directly traversed the junction of the three townlands and hence the known, historically recorded location of Drumclay crannog FERM 211:061.

The scheme was subject to a process of Environmental Impact Assessment in accordance with European and UK regulations. The Environmental Statement (ES) reports the findings of the EIA for the scheme. Owen Williams (Part of Amey) were commissioned by DRD Roads Service to undertake the assessment and preparation of the ES. In turn Owen Williams commissioned RPS Planning and Environment to coordinate the Environmental Assessment and prepare the Environment Statement, which was published in September 2007.

The Cultural Heritage section of the ES was prepared by John Cronin and Associates. As well as a desktop study a walkover survey of the proposed link road area was undertaken by 'two suitably qualified archaeologists'. This recognised (4.6) that:

*An SMR site, FERM 211:061 (a crannog and dug-out canoe at Knocklough) is located along the proposed route, a short distance to the north of the proposed roundabout at Lower Chanterhill Road and Coa Road. The site will be directly impacted on by the proposed link road.*

It is clear from the conclusions of the Cultural Heritage section (4.8) that this appraisal was based on the identification of the correct location of the crannog:

*The proposed Cherrymount Link Road will directly impact a recorded archaeological site at the junction of three townlands: FERM 211:061, a crannog and location of a dugout canoe.*

The Trunk Road T10 (Cherrymount Link, Enniskillen) Order (Northern Ireland) 2008 stated that:

*'The Department for Regional Development hereby gives notice in accordance with the provisions of Schedule 8 to the Roads (Northern Ireland) Order 1993 that it proposes to make an Order under Articles 14 (1) and 68 (1) and (3) of that Order'.*

Following this was an outline of the proposed new trunk road which included the section of new road that was proposed to traverse the townland of Drumclay, among others.

The Notice of Intention to Proceed with the Cherrymount Link Road (June 2008) has a section (Section 3.12) on Cultural Heritage – Existence of Change, based on the Environmental Statement. Section 3.12.3 states that a walkover survey was undertaken by 'two suitably qualified archaeologists'. It also states that due to ground conditions some of the areas were not accessible on foot.

Section 3.12.5 states that:

*The proposed Cherrymount Link Road will directly impact on two recorded archaeological sites; a crannog and a dug-out canoe. The location of the crannog has been subject to intensive drainage works in the past since it was originally situated on a lough. The crannog is indicated as an island on 1835 and 1860 editions of the OS mapping. The dugout canoe associated with the crannog was subsequently reburied and lost in this area.*

Section 3.12.9 (the mitigation section) includes archaeological monitoring during topsoil stripping. This section states that:

*All potential archaeological sites that are subject to unavoidable partial or total destruction should be fully archaeologically recorded therefore preserving the sites by record.*

The Statutory Rule and associated map for The Trunk Road (Cherrymount Link, Enniskillen) Order (Northern Ireland) was published in 2009.

It is difficult to escape the conclusion that the choice of the preferred route was a key decision. If the correct location of FERM 211:061 had been recognised in the Scheme



Assessment Report Stage 2: Preferred Options Report in the context of the significance and impact criteria listed in that report (Section 4) - which would rate the crannog as being of **medium/high importance** and the loss of the site as a **major impact** - and the cost of mitigating that impact, this locational information would have been a more serious adverse factor in assessing the environmental impact of the preferred route.

There is no evidence in the documentation that EHS, as it was then, was consulted on the Scheme Assessment Report Stage 2: Preferred Options Report in June 2007 or indeed on the Environment Statement in September 2007. The response from EHS (March 2008) to Roads Service on receipt of the Trunk Road T10 Cherrymount Link, Enniskillen Order (January 2008) indicates considerable concern about the archaeological impact of the proposed line of the route with specific reference to FERM 211:061. Earlier consultation with EHS should have taken place.

### **3. The timeline of events**

The timeline of events is captured in the summary of the files held by the NIEA on the Cherrymount Link Excavations of a Crannog in Drumclay townland, Co. Fermanagh (Appendix I) and the Summary of Roads Service files for Cherrymount Link Road (Appendix II).

It should be noted that Appendix I covers the period January 2008-July 20 2012. Appendix II begins in July 2004 and continues beyond the main period under review (to December 19 2012).

It is useful to think of the timeline in terms of four phases:

Phase I: Up to the end of November 2010. Up to this point John Cronin and Associates were the archaeological consultants for the scheme.

Phase II: December 2010-8 June 2012. This covers the period from Declan Hurl's (Amey) appointment as the Roads Service senior archaeologist on the scheme.

Phase III: 11 June 2012-27 July 2012. The seven weeks that formed the initial phase of the excavation of the crannog directed by Declan Hurl.

Phase IV: From 30 July 2012 when a revised archaeological and environmental strategy to resolve the excavations of the crannog were established by NIEA and led to the appointment of Dr Nora Bermingham to co-direct the excavation.

#### **4. The decision making process concerning the treatment of archaeological remains up to early August 2012**

##### **Phase I: (up to end of November 2010)**

Scheme Assessment Report Stage 2: Preferred Options Report (June 2007) (Section 4.2.5):

*All archaeological activities regarding the proposed Cherrymount road realignment will be subject to discussion with and approval from the relevant Planning Authorities and the EHS. Work for the proposed road will avoid all known archaeological sites...no recorded archaeological sites are directly impacted on by the proposed scheme [NOTE: this is factually incorrect]*

Environmental Statement (September 2007) (Section 4.8):

*The proposed Cherrymount Link Road will directly impact a recorded archaeological site at the junction of three townlands: FERM 211:061, a crannog and location of a dugout canoe...it is recommended to carry out an archaeological test-trenching programme (where feasible) along the footprint of the road corridor at this location in order to identify if any archaeological remains still exist. This will inform the need to undertake full excavation or otherwise of the site. Confirmation of the type of mitigation measures employed will be made through further negotiations with the EHS at a detailed design stage.*

Later version of the Cultural Heritage section of the ES. This is on file with the NIEA. It appears to be part of the ES/Cherrymount Link Notice of Intention to Proceed (June 2008) documentation. Under mitigation (Section 10):

*Given the potential for sub-surface archaeological remains at the location of the crannog FERM 211:061, it is recommended that a programme of archaeological test-trenching be undertaken at this point, the location and scale to be agreed with NIEA. It would initially be proposed that the central area of the track spanning the crannog be removed and that this area approximately 5x5m would be hand-excavated. This will assist in identifying the condition, nature, depth, age and complexity of subsurface archaeological features with the crannog. The results of these preliminary excavations may determine whether further archaeological investigations and/or full excavation is required in advance of the road construction phase...Note that these measures do not in any way pre-empt such conditions and recommendations that the NIEA may deem necessary to make in relation to the mitigation of archaeological impacts associated with this development.*

April-July 2008

Email discussions between NIEA: Built Heritage (HMU) and John Cronin and Associates about mitigation strategy proposed for FERM 211:061. In July NIEA: Built Heritage stated that they were happy with proposals to trial trench along route of the road and that any archaeological remains uncovered were to be discussed on site.

February 2009-October 2010

NIEA meeting with Amey (February 2009), correspondence between NIEA: Built Heritage and Amey and John Cronin and Associates. Work began at southern part of route in early 2010. October 2010, email from Amey requesting advice on special measures to be taken prior to road construction commencing in the vicinity of the crannog.

November 2010

In advance of meeting between Amey and NIEA: Built Heritage a watching brief estimate from John Cronin and Associates was submitted. This proposed digging test trenches along the line of the road under archaeological supervision to reveal the exact location and current extent of the crannog. It stated that the crannog would require a detailed mitigation programme in consultation with NIEA and that archaeological works should be carried out at the earliest possible date in advance of road construction.

However at the meeting (25 November 2010) Amey indicated that the preferred construction method of the relevant section of the road was cement stabilisation, and that in this context the crannog might need to be fully excavated. NIEA pointed out the expensive and extensive nature of such excavation. There still appeared to be confusion because of the initial error in taking the green dot on the NISMR map as the location of FERM 211:061. Communication after the meeting concerned overlaying the route of the road on historic maps which clearly demonstrated that the crannog lay on the proposed route of the road.

## **Phase II (December 2010 to 8 June 2012)**

December 2010

Declan Hurl (Amey) appointed as senior archaeologist acting on behalf of RS/Amey. Meetings between Declan Hurl and NIEA: Built Heritage in December (13/16). Discussion of various construction options and their impact on the crannog. Recommended mitigation:

Survey and measure crannog.

Excavation of small trench to assess depth and levels of preservation.

Further discussion of mitigation of impact of road on crannog.

Excavation License (AE/10/199) issued to Declan Hurl on 16 December 2010.

Extensions to the license were issued in June 2011, January 2012 and June 2012.

February 2011

An investigative excavation was carried out in February 2011. The preliminary report (submitted in March 2011) concluded that the crannog was located directly on the line of the proposed road and suggested a perimeter that was 17m E-W and 14.5m N-S. The excavation of a 3mx3m test trench to a depth of 50-60cm was interpreted as Later Medieval activity and the upper levels of crannog construction.

The report included a proposed engineering solution to preserve the crannog *in situ*, covering it with a layer of strong geo-grid overlain by a layer of stone to enhance the protection from the engineering works.

October 2011

NIEA: Built Heritage set out a response to the report and subsequent discussions on 17 October 2011. NIEA were concerned that the investigation of the crannog had not firmly established the edges/extent of the site, which was the key issue to resolve. Secondly they were concerned about the proposed mitigation of piling and rafting over, which had been 'agreed in principle' at a meeting in April 2011; specifically that the piles would not impact on the crannog or a buffer zone around it and that the raft would not compress the remains.

December 2011/January 2012

Following on the awarding of the contract to design the Drumclay section of the road to McLaughlin and Harvey-P.T. McWilliams J.V. (MHPT JV) a meeting was held (8 December 2011) between NIEA: Built Heritage and Amey/MHPT JV. Amey retained responsibility as the main road designer on behalf of Roads Service. MHPT JV had not received details of the 'agreed in principle' mitigation of rafting/bridging over the crannog, but had been notified that the crannog must be preserved. Their proposal of piling/piled slab (including piling within the crannog) was deemed unacceptable to NIEA: Built Heritage. Following the meeting there was discussion of what revised piling strategy might be acceptable given its potential archaeological impact.

The minutes of a meeting held on 30 January 2012 between NIEA: Built Heritage and Amey record that MHPT JV were now considering digging out the bog as an engineering solution. NIEA said that in this context excavation of the crannog was acceptable in policy terms but highlighted the high cost of this approach.

February 2012

On the 20 February NIEA: Built Heritage received a 'Crannog Trenching Report' under the excavation license (AE/10/99) issued to Declan Hurl. This followed an agreement in early February that further on-site work would be carried out to establish the extent and character of FERM 211:061.

In responding to the report (28 February 2012) NIEA: Built Heritage pointed out that the trenches dug with a machine had not been excavated archaeologically, that Declan Hurl did not direct the work (as licensed), nor was he even present. The work carried out was unauthorised and in contravention of the Historic Monuments and Archaeological Objects (NI) Order 1995.

At a site meeting on the 29 February Amey agreed that the trenches had been dug without archaeological supervision. The Amey archaeologist had pointed out the illegality of the action but had not said this in the report which he had written for Amey to submit to NIEA.

March 2012

A further report on excavation done under license AE/10/199 was submitted to NIEA by Declan Hurl. This 'Crannog Extents Report' particularly focused on establishing the western extent of the crannog.

April 2012

Mechanical excavation work by the contractors (MHPT JV) in the northwest of the bog, in the area known as Soft Ground Area 2 (SGA2) resulted in a lowering of the water table and a collapse of part of the northern part of the crannog. The CPD Geotechnical Engineer (Ernie Halliday) reported (17 April) that 'the contractor was instructed to cease the excavation and is placing stone in an area 20m to the west of the crannog to ensure stabilisation'.

Declan Hurl submitted a 'Crannog Slippage Report' under License AE/10/99 on 20 April. This concluded that the decision to replace bog material with rock around the west side of the crannog was the only solution to stabilise the monument and prevent further slippage. It suggested that the proposed methodology to alleviate the pressure of the road through the use of stone-filled membrane cells could result in the successful preservation of the monument.

At a meeting on 25 April between NIEA/Road Service/Amey/MHPT JV/CPD it was agreed that the best mitigation option now available in the context of the impact of the machine trenching in SGA2 was archaeological excavation of the habitation layers and part of the construction layers, with retention of remaining construction layers under the road. It was agreed that Declan Hurl would present a methodology for excavation and that MHPT JV would place a full depth rock-fill bund around the crannog to prevent further movement.

June 2012

Declan Hurl forwarded a method statement for excavation of the occupation phase of the crannog to NIEA on 1 June 2012. Excavation began on 11 June 2012.

### **Phase III (11 June 2012-27 July 2012)**

The seven weeks that formed the initial phase of the excavation of the crannog directed by Declan Hurl. This is covered in Section 6.

### **Phase IV (From 30 July 2012)**

A revised archaeological and environmental strategy to resolve the excavations of the crannog was put in place by NIEA with the appointment of Dr Nora Bermingham to co-direct the excavation. This is referred to in Section 7.

## **5. Shortcomings in that process and in the process around archaeology generally**

A key shortcoming in the process was that EHS (as it was then) does not appear to have been consulted either on the Scheme Assessment Report Stage 2: Preferred Options Report (June 2007) or on the Environmental Statement (September 2007).

A strategy to assess the condition and complexity of the subsurface features of the crannog, FERM 211:061 which involved preliminary excavation as the basis of a mitigation strategy was agreed between John Cronin and Associates as the archaeological consultants for RS/Amey and NIEA in July 2008. Well over two years later (December 2010) no progress had been made on this but the same approach was the basis for the investigative excavation carried out by Declan Hurl in February 2011. It is hard to understand why this critical fieldwork to inform the decision-making process was delayed for over two and a half years while in the interim road construction work had begun on the route.

It does not appear that RS/Amey and from late 2011 MHPT JV had a coherent or consistent strategy to mitigate the impact of the road on the crannog. Despite re-iteration from NIEA: Built Heritage of the archaeological significance of FERM 211:061, the high cost of excavating a crannog and the inherent difficulties of piling/rafting over the crannog there seems to have been a marked reluctance, even at an early stage, to consider rerouting the road to avoid the site.

In November 2010 RS/Amey through their consultants (John Cronin and Associates) were proposing a watching brief to reveal the exact location and extent of the crannog as the basis for detailed mitigation. But at a meeting late in that month Amey indicated that the current favoured construction method (cement stabilisation) might require the full excavation of the crannog.

Crucially, when the design of the road adjacent to FERM 211:061 was put out to tender by RS/Amey in 2011 it appears that the then 'agreed in principle' mitigation of rafting/bridging over the crannog was not included in the tender documents.

Minutes of a meeting held between Amey and NIEA: Built Heritage on 30 January 2012 record that Amey was concerned that the contractor (MHPT JV) was not properly considering how to deal with the crannog. MHPT JV were considering digging out the bog as an engineering solution, including the crannog area.

Under the terms of Article 41 of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995 Amey acted illegally in undertaking mechanical excavation of trenches on FERM 211:061 in February 2012 and presenting this under the auspices of an archaeological excavation license, AE/10/199.

The mechanical trenching work carried out by MHPT JV in April 2012 in Soft Ground Area 2 (SGA2) was carried out before the western extent of the crannog was established. This meant that instead of the preventive measure of a rock bund being

placed to the west of the crannog to protect it, this work appears to have destroyed archaeological deposits around the entire perimeter, particularly on the western part of the crannog where a substantial part of the site was removed.

NIEA: Built Heritage consistently and coherently re-iterated throughout the discussions the archaeological significance of FERM 211:061, the high cost of archaeological excavation of crannog sites, the necessity that any piling/rafting strategy would be designed to protect the archaeological integrity and wetland setting of the site, and the need to examine the potential of rerouting the road.

Critically, NIEA: Built Heritage was also consistent (in assessing archaeological work done in relation to FERM 211:061) in advising of the need to comprehensively establish the full perimeter extent of the crannog as the basis of any mitigation strategy. This was still yet to be established when the partial collapse of the crannog was brought about by mechanical trenching in the bog nearby in April 2012.

It is very difficult to understand why NIEA: Built Heritage did not act more strongly when the 'Crannog Trenching Report' was submitted under the excavation license (AE/10/199) issued to Declan Hurl in February 2012. The work carried out was unauthorised and in direct contravention of Article 41 of the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995, caused damage to the site and could have constituted a prosecutable offence. Amey's admission of breach of license was, as stated by NIEA officials, admission of an illegal act (parallel to a breach of listed building consent). Yet there is no file reference to further action – such as referral to senior management for advice in relation to this breach, consideration of referral to Departmental Solicitors, or revocation of the license to excavate. NIEA: Built Heritage took no further action and indeed renewed the license so that Declan Hurl could undertake excavation of the site in June 2012.

Reading the documentation there is a nuanced difference in approach between the two NIEA: Built Heritage, HMU Senior Inspectors involved in the decision-making process, for example in relation to the proposed mitigation for over-spanning the crannog to preserve it beneath the road. This difference would not have helped in demonstrating a clear NIEA position in relation to the decision-making process. It is notable that at what was the most crucial April 2012 meeting in deciding the mitigation strategy that was adopted, after the mechanical excavation within SGA2 had had a detrimental impact on the crannog, there was only one NIEA representative at a high level meeting of nine key people.

In reviewing the archaeological work carried out under AE/10/199 prior to the seven-week excavation under the direction of Declan Hurl in June/July 2012 there are a number of key points to be made. It had been established in discussions with NIEA from December 2010 that the primary element needed to define a mitigation strategy for FERM 211:061 was the identification of the perimeter of the crannog. Over a year and a half later when the mechanical excavation of ground in SGA2 had a detrimental impact on the crannog this had not been achieved and the size of the crannog was still being



under-estimated, particularly on the western side. The result was that the protective rock bund was not placed west of the crannog, but led to the removal of a substantial portion of the crannog (it is not clear if this work was archaeologically monitored).

The investigative excavations carried out on the crannog were limited both in area and depth. It was assumed that there was limited, very shallow Late Medieval occupation of the crannog and that the site was constructed in this period. This view is not supported either by the archaeological literature on the nature and dating of crannogs, nor by the geotechnical drawings of the crannog FERM 211:061 which were submitted as part of the discussion over a mitigation strategy. These clearly indicate a realisation on the part of RS/Amey that the crannog had a considerable depth.

## 6. The conduct of the excavation up to early August 2012

This constitutes Phase III in the timeline as outlined in Section 3. It should be noted that while the Terms of Reference refer to the period 'up to early August 2012' the discussion covers the first phase of the excavation, the seven weeks period, which commenced on Monday 11 June 2012, when Declan Hurl was excavation director. Dr Nora Bermingham was appointed as co-director of the excavation by NIEA with effect from Monday 30 July and this marks the beginning of Phase IV of the timeline and phase 2 of the excavation. This is referred to in Section 7.

The observations below are based on the documentation provided to the review. It should be noted that the chairman of the review (GC) visited the site on Friday 27 July as Chairman of the Historic Monuments Council at the request of the Minister and NIEA: Built Heritage.

The Crannog Excavation Methodology submitted by Declan Hurl to NIEA on 1 June 2012 was specifically for 'excavation of the occupation phase of Cherrymount crannog'. It stated that the excavation would be carried out in accordance with the NIEA's Excavation Standards Manual (ESM). It stated that the depth of relevant stratigraphy would vary across the site from 0.5m in the centre to 1.0-1.5m at the edges. It was estimated that depending on the materials and features uncovered the fieldwork would take between four to six weeks but discovery of unexpected elements or features could extend the required period of investigation. The brief agreed with NIEA was full excavation of the occupation levels and adequate sampling of the construction levels to inform how the site was constructed.

The excavation methodology was that the crannog would be divided into quadrants with unexcavated baulks retained for safety, access and section drawing. Excavation began on Monday 11 June. An extension of the AE/10/199 license to excavate for archaeological purposes was issued by NIEA: Built Heritage on 14 June 2012.

Staff for the excavations were supplied by an archaeological contractor, Farrimond McManus.

It is clear that the conduct of the excavation did not meet the standards set out in NIEA's Excavation Standards Manual (ESM) or the standards set by professional archaeological bodies such as the Institute for Archaeologists (IfA) or the Institute of Archaeologists of Ireland (IAI).

It appears that the excavation director was the only one who could assign context numbers. There was no photographic register (a single camera was used to take about 1,000 unlogged photographs). Surveying equipment and a surveyor were available only sporadically from Amey and there were very limited storage facilities and recording of artefacts. It is clear that there was no effective environmental strategy for the site. The site director maintained his own site notebook as an *aide memoire*, as his own intellectual property and not part of the formal excavation archive. Over the course of

phase 1 of the excavation the site supervisors appear to have improvised and created their own registers and devised an environmental strategy. The site director funded the supply of finds bags, pens and other basic requirements out of his own pocket.

As the excavation proceeded it became apparent that the depth and complexity of the stratigraphy was much greater than the excavation director had anticipated. In discussion between the excavation director and NIEA: Built Heritage the question of what were occupation layers and what were construction layers was consistently raised. The excavation director maintained the view that the occupation level was shallow, focused on the Late Medieval period in date and that construction levels were being exposed. The concern of NIEA was such that on 17 July Dr John O’Keeffe, Assistant Director, HMU, Built Heritage requested Maybelline Gormley (Senior Inspector) to remain on site to provide a full assessment of the conduct of the excavation. NIEA insisted on not setting a time limit for the work until there was clear definition of the level of archaeological material on the site.

To establish the nature of the deposits and to inform a timeframe for the excavation NIEA: Built Heritage agreed to a machine-dug *sondage* being placed in the SW quadrant of the site. This revealed that a large depth of potential cultural deposit remained on site after seven weeks of excavation. It would seem that the RS/Amey non-archaeological staff did not appreciate the archaeological importance of the site or the excavation and wanted a definitive completion date. In this context the site director, Declan Hurl, who was employed by Amey, was under considerable personal and professional pressure. It cannot be a surprise that there were communication problems between the site director and staff. The central issue was the non-professional standard of the conduct of the excavation under the site director.

In a briefing provided to the Minister on 23 July 2012 on the Drumclay crannog Dr John O’Keeffe, Assistant Director, Built Heritage stated (Para 12)

- 1. NIEA has monitored the progress of the excavation as it has progressed and is content with how the site has been excavated and recorded.*
  - 2. The excavation has now been underway for just over six weeks.*
  - 3. The site has revealed substantial organic remains, including leather and cloth, along with pottery dating from between the 9-12<sup>th</sup> centuries and a bronze pin.*
  - 4. All occupation levels have been excavated and fully recorded.*
- The construction levels are being sampled and further test excavation over the next couple of days will establish whether or not cultural remains survive within the foundation levels. An appropriate mitigation strategy will be agreed with Roads Service. Roads Service has been very helpful and has agreed to a small time extension required to finish the works.*

However, in a hand-written note for the file dated 14 December 2012 Dr O’Keeffe stated that:

*I wrote this prior to my own inspection of the site, based on information to hand at the time. Para 12, sentences 1 and 4 are not correct, though this is what I understood at the time. From my own inspection of the site on 26/7/12 it was evident that the excavation to that date was not complete, not satisfactory and not of the standard required.*

On Friday 27 July 2012 there was a meeting on site organised by NIEA, attended by Prof. Gabriel Cooney, Chair, Historic Monuments Council; Malachy Conway, Chair, Northern Ireland Archaeological Forum and member, Historic Monuments Council; Dr Aidan O'Sullivan, University College Dublin, specialist in wetland archaeology, staff from NIEA (Dr John O'Keeffe, Ms Claire Foley, Ms Maybelline Gormley) and the site director (Mr Declan Hurl).

There was agreement that the crannog still had considerable and valuable archaeological potential, with archaeological deposits at least 3 metres in depth, across an area up to 25 metres in diameter. It was estimated that more than 50% of the site still survived. *In-situ* preservation was no longer an option. There did not appear to be serious logistical or health and safety obstacles to further archaeological excavation. But for safety reasons the site needed to be immediately demarcated from the road works.

It was agreed that a Senior Environmental Archaeologist should be employed immediately to devise and implement a scientific, environmental archaeological sampling strategy and obtain maximum value from the excavation. This person would take co-responsibility for the site (i.e. become co-director) and coordinate a team of specialists to examine wood, dendrochronology, soils, plant remains, insects, pollen and to investigate the site and its immediate environs.

It was not envisaged that it would be possible to complete the proper archaeological and environmental investigation of the site before the end of August 2012. Assessment of a final deadline for the completion of excavation was an immediate priority in tandem with the environmental archaeological strategy. A comprehensive post-excavation and publication strategy needed to be designed, with a view to both popular and academic scientific publication.

## **7. The effectiveness of the remedy**

Dr Nora Bermingham was appointed as co-director of the excavation by NIEA with effect from Monday 30 July 2012. The Minister visited the site on that day and this marks the beginning of Phase IV of the timeline and phase 2 of the excavation. The proposal for archaeological and environmental archaeological resolution of the Drumclay Crannog, submitted by Dr Bermingham to the Minister and NIEA on Tuesday 31 July 2012 formed the basis for the strategy adopted in phase 2 of the excavation which ran for 38 weeks (until Friday 12 April 2013). Dr Bermingham was assisted by Caitríona Moore and the excavation was jointly funded by the Department of the Environment and the Department of Regional Development.

The crannog is in a wetland zone, formerly a lake fed by streams. Water management presented one of the major challenges to the success of the excavation. From August 2012 an open-plan excavation was put in place. Water was removed from the site by pumps running 24 hours a day, every day. As the excavation progressed the surrounding rock bund levels were reduced to maintain this water management system.

The excavation revealed the surviving area of the crannog as an oval area measuring some 18m (E-W) by 26m (N-S) with occupation and construction levels surviving to a depth of some 7m. The waterlogged anaerobic conditions at the site resulted in optimum preservation. The excavation yielded an enormous volume of artefacts, structures and datasets that will transform our understanding of crannogs and inform wider discussion of early medieval Ireland.

The crannog appears to have begun as a timber platform or raft set on piles driven into the lakebed. There were phases of occupation on this platform resulting in a domed mound and the satellite platforms built around this mound had multiple phases of occupation and house construction. At some point all the platforms were brought together to form a single large mound. Houses were built and rebuilt in the same locations and at least 30 houses have been recognised. Occupation had begun on the site by the late seventh century and continued into the Late Medieval period.

NIEA and RS/Amey and Dr Bermingham worked well together through regular progress meetings and managed Phase 2 of the excavation very successfully. This was achieved in a pressurised environment, with widespread public interest and reportage. Over 2,000 people took part in a series of open days, seeing the excavations and some of the artefacts.

The remedy was effective. It delivered a rescue excavation carried out to a very high professional standard and to an integrated research design in a highly pressurised environment. It is a landmark excavation and has provided a wealth of data which will transform our understanding of early medieval Ireland.

A programme of post-excavation analysis is currently being designed.



## **8. Recommendations for the future**

It is clear that a 'do nothing' approach could result in a re-occurrence of the circumstances in which the excavation of the Drumclay crannog was carried out. This was the result of both systemic weaknesses as well as human judgement. Consideration of the former is also likely to decrease the risk of the latter.

1. A written protocol/code of practice should be developed by NIEA: Built Heritage and Roads Service to provide a clear, consistent and transparent framework for the conduct of archaeological work on road schemes. This should include formal agreement on consultation by Roads Service with NIEA: Built Heritage at the earliest possible stage in the process and certainly from the stage at which preferred route options are being considered.

2. A written protocol/code of practice should be produced by NIEA: Built Heritage and Roads Service for archaeological contractors carrying out work on road schemes. This should include discussion of what is required to fully inform the cultural heritage/archaeological components of Environment Statements and related work, such as Preferred Option reports. Fieldwork and appropriate testing methodologies should be considered as mandatory elements of such work.

3. Where archaeological excavation is considered to be the appropriate mitigation strategy this should be carried out well in advance of road construction. Excavation should be covered by the protocol referred to in 2 above.

4. A review of the process of licensing under the Historic Monuments and Archaeological Objects (Northern Ireland) Order 1995 has already been recognised by NIEA: Built Heritage as necessary. It should now be recognised as an urgent priority. There appears to be no clear policy around the process of awarding or reviewing licenses to excavate for archaeological purposes. This review should cover issues such as the granting and review of licenses, research design, excavation methodologies, the reporting of finds, public engagement, the long-term curation of excavated material and the dissemination of results. The recently published (2013) Royal Irish Academy discussion paper on archaeological archives in Ireland notes the serious problems that arise from the current situation in Northern Ireland where licensing of archaeological excavation makes no provision for the storage and retrieval of archives and artefacts.

5. It is recognised by NIEA: Built Heritage that if a firmer approach had been taken in relation to the work that took place at Drumclay under license granted by NIEA some of the difficulties that ensued might have been avoided. Related problems were the workloads faced by staff within the Historic Monuments Unit, NIEA: Built Heritage and that an Assistant Director post was vacant in the unit at the time. Now that the staffing issues have been addressed it is recommended that this is an appropriate time for the operational structure of the Historic Monuments Unit to be reviewed to assess whether it is fit for purpose or whether a revised structure would improve the capacity and performance of the unit in the management of archaeological licensing.

6. In the course of the review it was noted that annual Board-level meetings between NIEA and other government agencies (e.g. Water, Forests, Roads Service) appear to have ceased sometime after 2002 and been devolved to an operational level (i.e. Director or below). Such a strategic, Board-level engagement would certainly have been beneficial in the context of the Drumclay crannog and its excavation. It is recommended that consideration is given to renewing and regularising Board-level inter-agency meetings and the minutes of such meetings be copied to the Minister.



**APPENDIX 1**  
**SUMMARY OF NIEA: BUILT HERITAGE FILES ON DRUMCLAY CRANNOG**  
**(Compiled by Historic Monuments Unit)**  
**29<sup>TH</sup> JANUARY 2008 – 20<sup>TH</sup> JULY 2012**

Cherrymount Link Excavations of Crannog in Drumclay townland Co. Fermanagh  
SM 11/3 FERM 211:61 BExc 195/10

- On 29<sup>th</sup> January 2008 NIEA: Built Heritage received a draft copy of The Trunk Road T10 (Cherrymount Link, Enniskillen) Order (Northern Ireland) 2008 from Roads Service. It stated that: 'The Department for Regional Development hereby gives notice in accordance with the provisions of Schedule 8 to the Roads (Northern Ireland) Order 1993 that it proposes to make an Order under Articles 14 (1) and 68 (1) and (3) of that Order'. Following this was an outline of the proposed new trunk road which included the section of new road that was proposed to traverse the townland of Drumclay, among others.
- Article 14 (1) of the Roads (Northern Ireland) Order 1993 states that 'Where the Department considers it expedient for the purpose of extending, improving or reorganising the trunk system that any road should be designated as a trunk road, the Department may by order direct that –
  - (a) any existing road;
  - (b) any road in the course of construction; or
  - (c) any road proposed to be constructed;shall become a trunk road; and the trunk road system shall be modified accordingly.' It is this section of the Order that allows Roads Service to designate trunk roads and create The Trunk Road T10 (Cherrymount Link, Enniskillen) order (Northern Ireland) 2008.
- NIEA: Built Heritage replied to Roads Service on 14th March 2008 alerting them that the road as proposed runs through 'Drumclay Lough, the known site of a dugout canoe and possible crannog'. NIEA: Built Heritage also expressed 'considerable concerns that the proposed line of the road would disturb/destroy' these archaeological remains, and stated that 'policy dictates the avoidance of known archaeological sites'. NIEA: Built Heritage also requested a meeting to discuss this with Roads Service.
- On 9th April 2008 NIEA: Built Heritage received an email from Kate Robb, Senior Archaeologist at John Cronin & Associates stating that Roads Service had received their correspondence regarding the known archaeological features and that they proposed a scheme of trial trenching along the route of the new sections of trunk road to identify sub-surface archaeological deposits and inform the need for further investigation. This would also address the feasibility of modifying the route in order to avoid archaeological features thereby preserving them in situ. A series of further discussions on this issue took place with John

Cronin and an email was sent back from NIEA: Built Heritage on 4th July 2008 stating that NIEA: Built Heritage were happy with the proposals to trial trench along the route of the new road and that any archaeological remains uncovered were to be discussed on site.

- On 17th December 2008 NIEA: Built Heritage received a letter from Amey seeking any specific comments regarding the proposed culvert locations and designs at this stage in the development of the A32 Cherrymount Link Road.
- NIEA: Built Heritage replied to Amey on 16th January 2009 stating that they had no particular issue with the proposed culverts along the line of the road but re-emphasising concerns about the impact of the proposed road on the dugout canoe and crannog within Drumclay Lough. Further consultation and a meeting was requested by NIEA: Built Heritage.
- On 2<sup>nd</sup> February 2009 a meeting took place in Waterman House between Amey (David Brennan) and NIEA: Built Heritage (Claire Foley and Edith Gowdy). A discussion took place on the impact of the proposed road on the crannog and buried canoe. The possibility of moving the road slightly to the east to avoid this site was discussed. Amey suggested that they could reuse this area for water runoff (for SUDS to comply with NIEA: Environmental Protection) and this would help preserve the crannog in waterlogged conditions. Amey also suggested that they could pile the stretch of road closest to the crannog instead of cutting and digging to further help preservation in situ. Amey showed NIEA: Built Heritage the EIA for this scheme that was carried out on behalf of Roads Service in accordance with Article 67 of the Roads (Northern Ireland) Order 1993 and Council Directive No. 85/337/EEC. The archaeological section within this document suggested archaeologically testing the entire route of the proposed road including the section close to the location of the crannog and dugout canoe.
- On 20<sup>th</sup> February 2009 NIEA: Built Heritage received copies of the Statutory Rule and associated map for The Trunk Road (Cherrymount Link, Enniskillen) order (Northern Ireland) 2009.
- On 18<sup>th</sup> January 2010 NIEA: Built Heritage received an email from John Cronin Associates enquiring if they were satisfied with the proposed mitigation design for Area 3 of the road scheme as contractors had been appointed and there was the intention to begin works. This is the southernmost line of the scheme and does not include the crannog. On 20<sup>th</sup> January NIEA: Built Heritage responded saying that they had no objection to what was proposed for Area 3 and that works could proceed on this section. However, NIEA: Built Heritage did note that in relation to Area 2 of the scheme, which does include the site of the crannog, that 'further works were previously suggested for Area 2 (piling instead of building up of ground surface) and the EIA proposed test trenching in other areas along the route of the road. NIEA: HMU would still require this testing to be

carried out, and would seek further clarification on the final engineering proposals for the road build. Sufficient time should be allowed before further works commence for the application of an excavation license and approval of any further amendments to the current scheme'.

- On 22<sup>nd</sup> October 2010 NIEA: Built Heritage received an email from Amey requesting further discussion on any special measures required prior to road construction commencing in the vicinity of the crannog.
- A meeting was arranged for 22<sup>nd</sup> November 2010. In advance of this Amey sent a Watching Brief Estimate to NIEA: Built Heritage that outlined the proposed testing for Area 2 of the scheme. This proposed mechanical excavators to dig test trenches along the line of the road under strict archaeological supervision. It was intended that this would reveal the exact location and current extent of the remains of the crannog and any associated buried archaeological remains. It stated that the crannog site would require a detailed mitigation programme in consultation with NIEA. It also recommended that the archaeological works for the scheme should be carried out at the earliest possible date in advance of road construction.
- A meeting took place on 25<sup>th</sup> November 2010 between Amey (David Brennan), a representative of Roads Service and NIEA: Built Heritage (Claire Foley and Edith Logue). Roads Service engineers had tested the area around the crannog which indicated a 10m depth of peat at that location. The construction method for this section of the proposed road had become cement stabilisation of the section over the boggy land. This would involve cement injected into strata below the road for the road to be anchored to. When asked where this would leave the proposed archaeological testing it was suggested that the crannog might need to be fully excavated. NIEA: Built Heritage explained how such excavation could be quite extensive due to the nature of the known archaeology and would also require detailed post-excavation work. Also, the stabilisation of the road with cement would include the removal of the wetland which would harm the preservation of the organic material of the crannog. The proposed watching brief would be difficult to carry out due to the depth of the peat. It was noted that it was unclear how far into the peat deposits the crannog would go or the exact location of the crannog in relation to the road. NIEA: Built Heritage asked if they would use a small machine on a track to take off a small strip near or across the site of the crannog to gauge the depth below the surface that the crannog sits. It was stated that Rivers Agency would not allow for the draining of the area to facilitate this. An overlay of the location of the route of the road in relation to the location of the crannog on historic maps was to be provided to Roads Service. If it transpired that the location of the crannog was not below the proposed line of the road NIEA: Built Heritage would be happy for the remains to be preserved in situ in a wet environment next to the road. If this was the case NIEA: Built Heritage

would require some technical information to ensure that the ground would remain wet.

- An overlay of the route of the road on to the historic maps that locate the crannog was provided to Amey by NIEA: Built Heritage on 29<sup>th</sup> November 2010.
- On 13<sup>th</sup> December 2010 a meeting took place between NIEA: Built Heritage (Claire Foley and Edith Logue) and the archaeologist now employed by Amey (Declan Hurl) to discuss the mitigation around the crannog. This was the first meeting that involved Amey's archaeologist. It was stated that Amey estimated the crannog to be 15m wide. Engineering boreholes had been taken in the vicinity of the crannog which showed 5-7m peat on 5m glacial till. Any piles for the road in this area would need to be 9-10m deep. Some discussion took place around the possibility of Roads Service bridging the road over the crannog and leaving a protective zone around it. This was to be discussed by Mr Hurl, Amey and Roads Service to see if or how this could be achieved. It was agreed that some small scale testing of the crannog should take place to record remains. As there are health and safety concerns it was agreed that close contact with NIEA would be kept to ensure that enough testing was carried out but that health and safety was not breached.
- NIEA: Built Heritage received an application for an archaeological license from Declan Hurl from Amey on 16<sup>th</sup> December 2010. This was to cover the testing of the crannog along with any monitored topsoil stripping. The license was signed off and issued on 17<sup>th</sup> December 2010.
- On 3<sup>rd</sup> February 2011 NIEA: Built Heritage received a design solution from Amey that suggested rafting the road along the entire stretch close to the crannog and creating a platform for the road over the crannog that would not rest directly on to it but on piles around it. This would preserve the crannog in situ in wetland.
- On 27<sup>th</sup> January 2011 NIEA: Built Heritage (Maybelline Gormley and Edith Logue) visited the site to assess the archaeological testing of the crannog and agree a way forward with the archaeologist from Amey (Declan Hurl). A trench 3m x 3m had been excavated within the crannog to assess the levels of preservation in the site. As current water levels at the time were 600mm below the top of the crannog, any investigation below these levels resulted in inundation and so investigations were therefore limited. Root activity across the crannog also proved problematic. This revealed only one occupation feature (a hearth) and uncovered a number of artefacts including medieval pottery and animal bone. Beneath the occupation layer the crannog was found to consist of large deposits of organic material apparently stabilised by the insertion of wooden posts and stakes. In relation to the proposed methods of road construction the boreholes taken from the boggy area around the crannog indicated that the bog was 10m deep. The current road scheme dictated that it

would go through the bog but that columns of cement mixed with bog material were to be inserted across the bog to support the road. It was proposed to seal the crannog under geotextile and hardcore thus preserving it in situ with the arrangement of columns beneath the hardcore. Inclement weather had made surveying the crannog difficult so the exact extent of it was undetermined at the time of the visit but this was to be resolved once weather permitted. NIEA: Built Heritage requested details of the proposed location and dimensions of the cement columns to ensure that the crannog is not disturbed and also that the hydrological connection between the crannog and the bog would be maintained. NIEA: Built Heritage also requested that all intrusive works within the bog are archaeologically monitored.

- On 21<sup>st</sup> April 2011 another meeting took place at Waterman House between the engineers and archaeologist from Amey and NIEA: Built Heritage (Maybelline Gormley and Edith Logue). The goal of this meeting was to discuss the engineering solutions to construct the proposed road over the site of the crannog while preserving it in situ. Amey have come up with a scheme of piles across the lough area and a raft resting on these that runs over the crannog without applying weight on to the monument. NIEA: Built Heritage agreed that this seems like a good solution as the crannog would remain in wetland. NIEA: Built Heritage requested more detailed plans of this showing the exact details. The current status of the project at that stage was that it was out to tender. Amey pointed out that the contractors when appointed may come in with a different solution but that the location of the crannog and the archaeological report were included within the tender package. An archaeological license would be required for any archaeologist to monitor the proposed topsoil stripping. Amey stated that they had hoped to start stripping on the 1<sup>st</sup> August and that the whole scheme would take 18 months although this section should be finished by March 2012.
- A report on the initial archaeological testing of the crannog was received by NIEA: Built Heritage on 14<sup>th</sup> March 2011. This outlined the findings of this excavation and also discussed the potential impacts that the proposed road would have on the archaeological monument and also the engineering solutions. This report maintained that the engineering solution is to raft across the bog and support the road on cement piles over the crannog and that the crannog is to be preserved in a wetland environment underneath the road.
- A request for an extension to the previously granted archaeological excavation license (no. AE/10/199) was received by NIEA: Built Heritage on 23<sup>rd</sup> June 2011. This was issued on 27<sup>th</sup> June 2011.
- 17<sup>th</sup> October 2011 NIEA: Built Heritage received an email from the Amey archaeologist Declan Hurl discussing the radiocarbon dates for the crannog. He also mentions a request from NIEA: Built Heritage to have a meeting to discuss the proposed mitigation for the road. He states that he was under the impression

that the outlined mitigation was agreed by NIEA: Built Heritage and that it was now a tight time scale to discuss changes to this. NIEA: Built Heritage replied later that day outlining the issues. The testing and subsequent report did not make it clear that the exact location of the edges of the crannog had been established and that the purpose of the meeting would be to agree (finally and definitively) the mitigation, and to provide NIEA: Built Heritage assurance that this is indeed the best way to protect the site. At the meeting in April the concept of piling and rafting was agreed in principle and a slightly more detailed mitigation proposal had been received from Steven McKinney from Amey. However, at this stage NIEA: Built Heritage required assurance that the piles will not impact upon the crannog edge and that there is an adequate buffer zone between the two – this is where establishing the edge of the crannog is pivotal. Also, that the raft over the crannog will not compress the remains but will span over it.

- On 20<sup>th</sup> October 2011 NIEA: Built Heritage received an email from Amey archaeologist Declan Hurl stating that he had been informed that the portion of the Enniskillen bypass spanning the bog, in which the crannog is located, is being designed by another company which will also be responsible for archaeological mitigation in that portion of the project. NIEA: Built Heritage responded thanking him for this notification and requesting that the relevant contact details for this company be passed to them as soon as possible.
- On 8<sup>th</sup> December 2011 a meeting took place between NIEA: Built Heritage (Claire Foley and Maybelline Gormley, McLaughlin & Harvey (Paul Durin and Martin McKeown) and Amey (Ken Harrison). A new mitigation proposal was presented which went along with the idea of rafting the road across the bog. McLaughlin & Harvey proposed 275x275mm piles at 3m intervals across the bog including the crannog. This would result in 26 piles (minimum) within the crannog itself. McLaughlin & Harvey had not received the details of the agreed in principle plan for rafting/’bridging’ over the crannog, agreed between NIEA: Built Heritage and Amey as part of their tender documents which ultimately McLaughlin & Harvey were successful in winning. Therefore they were not aware of this plan. They had been notified in the tender documents that the crannog must be preserved but no details on how this should be done. The new proposal for piling was deemed unacceptable to NIEA: Built Heritage as the cumulative disturbance to the crannog would be too much. Other possible solutions were discussed at this meeting but it was left that McLaughlin & Harvey and Amey will discuss further and meet again with NIEA: Built Heritage as soon as possible.
- Between the 15<sup>th</sup> December and the 19<sup>th</sup> December 2011 a number of emails were exchanged between NIEA: Built Heritage and Amey to arrange a follow up meeting. NIEA: Built Heritage expressed concerns that they were meeting with different people from the companies each time and that those at the meeting on 8<sup>th</sup> December were not at the earlier meetings when the mitigation had been

previously discussed. Amey explained that under contractual arrangements they had certain responsibility as the main designer on behalf of Roads service.

- On 20<sup>th</sup> December 2011 NIEA: Built Heritage (Maybelline Gormley and Claire Foley) and Amey (Steven McKinney and Declan Hurl) met to establish a potential solution that would be acceptable to NIEA. Amey stated that the land around the crannog was deemed to be poor and that this section of the scheme was to be subject to ground improvements which were to be contractor designed. The specification for the contract had been compiled in such a way that all tendering for the scheme would utilise ground stabilisation as the preferred method of ground improvement, this being the method previously discussed with NIEA: Built Heritage. However, the successful contractor had chosen to use a piled slab in this area. It was deemed that the cost to avoid the crannog completely would amount to be between £1m and £3m extra and that this is obviously not feasible in a scheme this size. Amey asked if NIEA: Built Heritage would consider a reduced number of piles within the crannog. NIEA: Built Heritage stated that given the costs discussed some sort of compromise would be acceptable. It was suggested that if an auger pile was to be used then NIEA: Built Heritage would be interested in assessing the core from each pile for archaeological purposes. It was agreed that a number of options using less piles than previously discussed with McLaughlin & Harvey would be compiled and presented to NIEA: Built Heritage which would include type of pile, number of piles, diameter of piles, cost, effect on ground water, construction methodology, potential archaeological gain and potential archaeological disturbance.
- Further extension to archaeological license AE/10/199 was granted by NIEA: Built Heritage on 13<sup>th</sup> January 2012.
- Another meeting was arranged for 2<sup>nd</sup> February 2012.
- On 20<sup>th</sup> February 2012 NIEA: Built Heritage received an email with two reports attached from Amey (Steven McKinney). The first was a topsoil monitoring report that outlined the findings of the archaeological monitoring of the rest of the line of the proposed road. The conclusion to this was that nothing of archaeological significance was uncovered elsewhere on the road scheme and no further mitigation relating to the land-based sections was required. This did not include the work associated with traversing the bog and addressing the issue of the crannog. The second report was a crannog trenching report. This reported on the results of observations and investigations within five machine-cut trenches on and around the crannog. According to this report these were carried out under the license AE/10/199 and following the guidelines outlined within the NIEA Excavation Standards Manual. It stated that following a meeting with NIEA officials in February 2012 five trenches were machine cut on and around the crannog to assist in determining its extent. They were investigated by an appropriately licensed archaeologist although all trenches were waterlogged at

the time of investigation. The conclusions included a description of what was revealed in the trenches and that the findings coincided with a previous survey that estimated the outline of the crannog.

- On 28<sup>th</sup> February 2012 an email was sent to Amey from NIEA: Built Heritage in response to the receipt of the previously discussed reports. On the outset it stated that there were serious issues presented by these reports. Firstly, NIEA: Built Heritage stated that an agreement had been made in the previous meeting that the vegetation around the crannog could be cleared to allow a better visual inspection of the site. A radial trench, from the centre of the crannog to beyond the prospective perimeter could be undertaken, under strict archaeological supervision and that the detail had to be agreed by NIEA: Built Heritage. NIEA: Built Heritage did not agree to trenches in the locations recorded and would not have. Also, it was clear from the report that these were not excavated under archaeological supervision and that the archaeological standards manual approach was not adhered to as the trenches and artefacts and material from them were not properly recorded. NIEA: Built Heritage expressed dismay that unauthorised work had taken place and that it was in direct contravention of the Historic Monuments and Archaeological Objects (NI) Order 1995 which could constitute a prosecutable offence. NIEA: Built Heritage also insisted that the Amey archaeologist should be in attendance at any future meetings to ensure that what is discussed and agreed is duly noted by the person that Amey had commissioned as their archaeological advisor and that it is adhered to properly.
- A meeting took place on 29<sup>th</sup> February 2012 on site between Steven McKinney from Amey and Claire Foley from NIEA: Built Heritage. Amey agreed that the trenches had been carried out without archaeological supervision. It was gathered by the archaeological inspector from NIEA: Built Heritage that the Amey archaeologist had pointed out the illegality of the action of digging these trenches but that he had not expressed this within the report. It was agreed by Amey that it had been naïve of them to have carried out this work. It was recommended that the spoil from the trenches be surveyed using a metal detector and that one of the trenches should have been dammed to drain the water out to allow further investigation. Also the Amey archaeologist should supervise all works.
- On 26<sup>th</sup> March 2012 NIEA: Built Heritage received a further report named the Crannog Extents report from Amey that reported on further investigations in the excavated trenches by their archaeologist to determine the exact extent of the crannog.
- On 5<sup>th</sup> March the site was to be visited by NIEA: Built Heritage and a CPD Geotechnical engineer to discuss mitigation.
- On 17<sup>th</sup> April 2012 the CPD Geotechnical Engineer contacted NIEA: Built Heritage to say that he had visited the site prompted by a call from Amey. The



contractors had begun excavation works around the crannog and that this had led to a collapse of part of the northern part of the crannog. CPD had recommended that stone should be placed around this part of the crannog to ensure no further collapse.

- On 18<sup>th</sup> April 2012 David McKinley contacted CPD and NIEA: Built Heritage to say that work to the north of the crannog by the contractor had stopped but that they would proceed along the western flank of the monument.
- On 20<sup>th</sup> April 2012 NIEA: Built Heritage received the Crannog Slippage report from Amey. This assessed the condition of the crannog at that time and drew the conclusion that the removal of material from the north of the bog and its unexpectedly fluid nature resulted in a general flow of material to the north removing the supporting material from the crannog in that area effectively destabilising it. The decision was made to place stone around the crannog to prevent further slippages. It was noted that due to the robust nature of other parts of the crannog that did not slip, that it would be sturdy in compression and that the proposed methodology for alleviating the pressure of the proposed road through the use of stone filled membrane cells, in light of this evidence, is likely to result in the successful preservation of the monument once the area has been stabilised.
- On 1<sup>st</sup> June 2012 NIEA: Built Heritage received the Crannog Excavation Methodology from Amey. This outlined a methodology to excavate the series of layers on the crannog and stated that given the evidence from previous testing that the depths of relevant stratigraphy would vary across the site from 0.5m in the centre to 1-1.5m at the edges. It was estimated that this would take between 4 to 6 weeks.
- This was agreed by NIEA: Built Heritage and a 3<sup>rd</sup> license extension was granted on 15<sup>th</sup> June 2012.
- On 28<sup>th</sup> June 2012 NIEA: Built Heritage were included in an email between CPD and Amey which stated that NIEA: Built Heritage was very pleased with the progress being made on site but that they stressed that further work was required on site and that they were concerned that the contractor may imagine that there is a limitation on the timescale for these works to fit in with their programme.
- On 28<sup>th</sup> June 2012 NIEA Built Heritage (Maybelline Gormley) sent an email to Amey outlining the details of a meeting that was conducted between NIEA: Built Heritage (Maybelline Gormley and Claire Foley) and the Amey archaeologist (Declan Hurl). It was expressed that NIEA: Built Heritage are happy with the way the excavation was proceeding but that more work was required to resolve the issue of the crannog including coring in some places and recording of lake

deposits. The monitoring of the removal of the rest of the crannog must also be discussed and agreed with NIEA: Built Heritage and the post-excavation work that must be carried out.

- On 29<sup>th</sup> June 2012 NIEA: Built Heritage received a phone call from a concerned member of the excavation team provided by Farrimond MacManus, Christina O'Regan. She expressed her concern that the staff on site were being kept in the dark about the details of meetings and agreements made between NIEA: Built Heritage and Amey and that they were being led to believe that the excavation was to end imminently.
- On 29<sup>th</sup> June 2012 discussion was held between NIEA: Built Heritage and Farrimond MacManus on this issue. They emphasised that they only provided the labour for the project and were not involved in work planning or programming. A discussion was then held with the Amey archaeologist who said he believed it would take 4-6 weeks to resolve the excavation.
- On 29<sup>th</sup> June an email trail between NIEA: Built Heritage and Roads Service took place discussing contact that they had received from the Impartial Reporter regarding the discovery of human remains on this crannog site. A press statement was issued accordingly by Roads Service.
- 29<sup>th</sup> June 2012 an email was sent to Roads Service from NIEA: Built Heritage discussing the recent interest from the local newspaper about this scheme and also the general archaeological mitigation involved. This highlighted that NIEA: Built Heritage had discussed previously with Roads Service the impact of this scheme on the archaeology on site and the impact of dealing with the archaeology on the scheme. This was to be followed up with Roads Service after a representative from NIEA: Built Heritage visited the site to establish what would be required to resolve the remaining archaeological issues.
- On 18<sup>th</sup> July 2012 an email from NIEA: Built Heritage (John O'Keeffe) to Roads Service stated that he had not be able to visit the site himself but that the site had been inspected by archaeological inspectors and that while progress on site is good, extra time would be required to complete excavation.
- On 20<sup>th</sup> July 2012 an email was sent from NIEA: Built Heritage to Roads Service stating that based on conversation with the Amey archaeologist that the crew on site would be there into next week to resolve the excavation. Further monitored archaeological excavation of two trenches across the crannog would also be required.

## APPENDIX II

### SUMMARY OF ROADS SERVICE FILES ON DRUMCLAY CRANNOG JULY 2004 – DECEMBER 2012 (Compiled by Historic Monuments Unit)

#### Summary of Roads Service file for Cherrymount Link Road

- July 2004 – Stage 1 Scheme Appraisal report completed by Scott Wilson Ferguson McIlveen. This shows the proposed route to the west of the crannog (west of the route as it is today) and records that no archaeological sites would be lost due to this proposed route. The route runs along the existing road next to the crannog rather than through the previously undisturbed ground and over the crannog.
- 25 January 2006 – Email to Jack Cargo and Philip Robinson from Sandra Close in EHS: Natural Heritage noting that the single point of contact from Built Heritage is Brian McKervey.
- 25 July 2006- Consultation reply letter dated 25/7/06 from Brian Williams in EHS: Built Heritage to Stephen McAfee in RPS Planning and Environment. This is a standard letter informing the recipient of the availability of the MBR for research into the built heritage of Northern Ireland. This was recorded as received on 28/07/06 by RPS.
- June 2007 – Scheme Assessment Report Stage 2 Archaeological Section compiled by Owen Williams, part of Amey. This indicates two potential routes for the proposed road. A red route that would run to the west of the crannog and a blue route that would run close to the site of the crannog (the present route of the road). The location of the crannog is recorded on the maps in this document with its SMR number FERM 211:061 much as it is shown on maps within the MBR.

In section 4.2.4 of this reports “Impact Assessment and Options” it is noted that SMR site 211:061 is located at a short distance to the north-east of the route option to the north of Coa Road. It is recorded that “although this site will not be directly affected, it is possible that archaeological remains at a subsurface state exist in this area, particularly due to the presence of the lough which would have been utilised for food and defence purposes from early times”. In this section it discusses the two options outlined in this report for the route of the proposed road as detailed below:

Option 2 “The alignment of option 2 travels within approximately 80m of the SMR site 211:061. At the Tempo Road end of the scheme the alignment encroaches on the peripheries of the IHR site 1010:3”.

Option 4 “The alignment of Option 4 travels within 10m of the SMR site 211:061”.

The mitigation section of this report states that “All archaeological activities regarding the proposed Cherrymount Road Realignment Scheme will be subject to discussion and approval from the relevant planning authorities and EHS. Works for the proposed road project will avoid all known archaeological sites, a policy upheld by EHS. However, where this is not possible to avoid a particular feature, a range of mitigation factors should be followed in order to minimise negative impacts”.

The appraisal summary table in this report records that “the alignment of Option 2 travels within approx 10m of the SMR site FERM 211:061 (a crannog and dugout canoe at Knocklough). At the Tempo Road end of the scheme the alignment encroaches on the peripheries of the IHR site 1010:3 a bridge at Killynure, but will not directly affect either”.

The Quantitative Assessment in this report deemed this as “no direct impact” and in their table in the column titled “Present Value of Costs to Public Accounts £m” the assessment was labelled “slight adverse”.

- 14 March 2008 – A letter to the Divisional Roads Manager at Roads Service from Edith Gowdy EHS which outlines EHS concerns regarding the impact of the proposed road on the crannog. A hand written note on this letter says “meeting with Edith – our effect on this site should be minimal”.
- June 2008 – Cherrymount Link Notice of Intention to Proceed. The quotes from this document are from the draft on file. The relevant section of the FINAL published version is attached on pdf [to file]. Section 3.12 of this document is titled Cultural Heritage – Existence of Change. Section 3.12.5 states that “the proposed Cherrymount Link Road will directly impact on two recorded archaeological sites; a crannog and a dugout canoe. The location of the crannog has been subject to intensive drainage works in the past since it was originally situated on a lough. The crannog is indicated as an island on 1835 and 1860 editions of the OS mapping. The dugout canoe associated with the crannog was subsequently reburied and lost in this area”.

Section 3.12.3 of this report states that “a walkover survey was undertaken by two suitably qualified archaeologists”. It also states that due to ground conditions some of the areas were not accessible on foot.

Section 3.12.9, the mitigation section includes archaeological monitoring during top soil stripping. This section states “All potential archaeological sites that are subject to unavoidable partial or total destruction should be fully archaeologically recorded therefore preserving the sites by record.”

- 31 July 2009 – email to David McKinley from Seamus Keenan. This email asks if there is merit in having test trenching carried out in advance of the main contact. Attached to this email is a document from David Brennan at Amey called ‘Cherrymount Link Enniskillen – Watching brief Fee Estimate’. This outlines a project

proposal and fee for test trenching along the line of the road. It mentions 'liaison by John Cronin & Associates/RPS with Ms Edith Gowdy (previous archaeological caseworker for Fermanagh Area) and Mr. Paul Devlin (Current Caseworker) has established that NIEA are satisfied with the proposed mitigation measures outlined in the ES prepared for this scheme'. There is a hand written note on the back of this document saying "meeting 25/11/10 Claire Foley; Edith Gowdy; David Brennan; SK".

- 24 November 2010: Email from David Brennan (Amey) to Edith Logue, Paul Devlin and Claire Foley confirming a meeting on the following day to discuss measures to be adopted at the crannog site.
- 25 / 26 November 2010: Emails between D Brennan (Amey) and Edith Logue, with attachment indicating proposed new road layout, as follow up to meeting held.
- 29 November 2010: email from Edith Logue with attached plan indicating position of the crannog relative to the proposed new road line
- 13 December 2010: file record of meeting on this date between NIEA and Amey discussing trial trenching options at the site, concluding with the need for a further site visit and GPS survey.
- 16 December 2010: file record of meeting between Declan Hurl and Claire Foley discussing an excavation license application and possible construction options.
- 27 January 2011: minutes of meeting between NIEA and Amey staff discussing an engineering solution for the preservation of the crannog (piling)
- 27 January 2011: minutes of meeting between NIEA and Declan Hurl discussing results of the trial trenching and possible cement stabilisation option to preserve the crannog.
- 31 January 2011: emails between Edward McDonnell of Amey and RS in relation to positive developments with NIEA's approach on how the crannog could be treated. [pdf attached to file]
- February 2011: Archaeological Investigations official Report from Amey
- 3 May 2011: email trail from 5 April 2011 setting up a meeting (assumed held on Thursday 21<sup>st</sup> or 28<sup>th</sup> April 2011) to discuss an engineering proposal to preserve the crannog.
- 3 May 2011: revised drawing showing engineering solution sent to Edith Logue and Maybelline Gormley (drawing attached to email).

- 17 May 2011: reminder email from S McKinney (Amey) re need for Amey to review the proposed engineering solution drawing.
- 20 December 2011: minutes of meeting between NIEA and Amey staff discussing a potential 'compromise' solution with the crannog in situ.
- 22 December 2011: email from R Moffett (Amey) saying that he had met with NIEA the previous week and had agreed to meet again.
- 6 March 2012: email from David McKinley to Pat Doherty (RS DRM) providing briefing and background to the crannog issue.
- 12 March 2012 – email trail between Ernie Halliday from CPD and David McKinley (Roads Service) and Maybelline Gormley (NIEA). This discusses the issue of the contractor designing the road scheme coming up with an engineering solution that protects the crannog but also meets the needs of Roads Service.
- 12 April 2012 – email exchange between Steven McKinney (Amey) and Seamus Keenan (Roads Service). In this email Steven McKinney states that “the contractor is now excavating within Soft Ground Area 2. As a result of this the ground within this area is very much creeping towards where the contractor is currently excavating. At present they are 30m from the crannog which is now showing signs of distress, whilst the ground all round it has dropped by around 1.5 to 2m. The ground within this general area is extremely soft and collapsing in on itself up to 50-60m from the current excavation. The ground in this whole area is now obviously an H& S issue. Any potential works within the vicinity of the crannog are also very much an H&S issue and would certainly be v. complex.

As the contractor encroaches the crannog I certainly feel that the whole crannog may collapse even before we get within 5m of it (the distance we need to keep from it as set down by NIEA). We may need to go let Ernie Halliday know in the near future what is happening”.

The response from Seamus Keenan states “Please speak to Ernie Halliday with a view to a site visit. Hopefully he can then advise NIEA on the complexities of H&S risks associated with any further protection of the crannog”.

- 17 April 2012 – Email from Ernie Halliday (CPD) to Maybelline Gormley (NIEA). This outlines the details of a site visit. It notes that excavations about 20-30m north of the crannog were causing movement to the whole area and that there was damage at the north-west corner of the crannog. The contractor had been instructed to cease the excavation and is placing stone in an area around 20m to the west of the crannog to provide stabilisation. He passed on a request for an urgent meeting by David McKinley.

- 18 April 2012 – Email from David McKinley to Ernie Halliday and Maybelline Gormley informing them of continuation of excavations along the western flank of the crannog with the intention of surrounding the crannog, thus preventing any further movement of the crannog and reducing health and safety concerns.
- 18 April 2012 email from Ernie Halliday to Martin McKeown. This notes that the BLP GDR does not deal with the removal/ treatment of the soil in the area known as SGA 2. Mr Halliday states that the contract requires suitable protection of the crannog and that this “is not satisfactorily covered by the report or by the operations being carried out on site”. He urgently requests an addendum to the GDR that deals with the work in SGA2 including protection of the crannog. A further email dated 18 April 2012 from Seamus Keenan to John Knight (Amey) asks “Can this be addressed asap”.
- 23 April 2012 - ‘Crannog Slippage Report’ compiled by Amey and associated emails between Amey and Roads Service that note that contact had been made between Declan Hurl (Amey) and Maybelline Gormley and Edith Logue (NIEA).
- 23 April 2012 – email from Maybelline Gormley to Ernie Halliday and David McKinley organising a meeting to discuss works.
- 25 April 2012 – minutes from a meeting with NIEA on this day which took place at Amey Consulting, Rushmere House. The Agenda Summary is as follows:
  - 1.0 Introduction
  - 2.0 Crannog discussion
  - 6.0 Summary of Discussion
  - 7.0 Date of next meeting

This meeting concludes that rock fill would be placed around the crannog to prevent further movement, and the resolution of the feature would then be agreed in detail.
- Email from Seamus Keenan to John Knight and Rodney Moffett (Amey) with an instruction that “the crannog will be surrounded by rock fill by end of next week thus facilitating investigations by archaeologists. Please initiate the procurement process for such investigations”.
- Email between Seamus Keenan to Rodney Moffett comparing quotes for Shannaragh Road scheme archaeological works and the Cherrymount Link archaeological works.
- 17 June 2012 – email between Seamus Keenan and Rodney Moffett stating that archaeologists are moving in imminently.
- 16 June 2012 – email from Rodney Moffett to Seamus Keenan that includes an application for the use of Farrimond MacManus for the archaeological works. It

states “please note that costs quoted include expenses hence the 4 week calculate should rep worst case in terms of the site works”.

- 28 June 2012 – Email from Ernie Halliday to Steven McKinney – this states that Mr Halliday had spoken to Maybelline Gormley who is pleased with the progress made so far on site. He states that “she stressed that there was more work to be carried out and was concerned that the contractor may imagine that there is a limitation on the time scale for these works to fit in with his programme. Please confirm that the archaeological site works still to be carried out and the likely programme for these works”.
- 2 July 2012 – email from Seamus Keenan to Rodney Moffett and John Knight. This email includes the transcript of an email from John O’Keeffe, NIEA, to John White, from Roads Service advising that “from an archaeological point of view this appears to be a very rich site” and expressing the need for good communication between NIEA and RS
- 2 July 2012 email from Rodney Moffett to Seamus Keenan and John Knight. This email states that Amey “remain happy that the course of action taken by Declan Hurl and the associated programme are sufficient to fully excavate the site in a safe, efficient manner”. It goes on to say of Amey that “We will continue along this path and will keep you informed of dealings with NIEA”.
- Email trail from John Knight to Steven McKinney and Seamus Keenan. This included a forward of an email dated 29/11/2010 from Edith Logue (NIEA) to David Brennan (Amey) with an attachment that showed the proposed route of the Cherrymount Link road overlaid onto the 1<sup>st</sup> Edition OS map and modern vector maps that illustrates the relationship between the proposed road and the location of the crannog.
- 18 July 2012: email from John O’Keeffe to John White acknowledging significant progress on site and stating “there may, however, be the need for a few extra days to complete the excavation, but we are talking here of days rather than weeks or months” (scanned document attached [to file])
- 30 July 2012 – BBC news report “‘No-go zone’ imposed around Enniskillen crannog”.
- 1 August 2012 – Email from David McKinley to John White and Pat Doherty (both Roads Service). This states that Nora Bermingham’s report had been read by Minister Atwood but not by Roads service yet. It further stated that Ms Bermingham and one further specialist were to be employed by NIEA and that any cost sharing/recharging can be sorted out later. Ms Bermingham is recommending 8 weeks excavation with some mechanically assisted digging.



- 7 August 2012 – email from John White (Roads Service) to Geoff Allister, CEO, Roads Service containing brief notes on the “Cherrymount Issue”.
- 8 August 2012 – email from Seamus Keenan to David McKinley which states that on site that morning Maybelline Gormley received a text message from John O’Keeffe (NIEA) advising that the exclusion zone was not to be reduced. This relates to an email dated 8 August from John Knight to Maybelline Gormley discussing the issue of the exclusion zone.
- 5 September – 6 September 2012 – email trail between Seamus Keenan, Pat Doherty and David McKinley discussing NIEA’s revised programme and the need for an extension in time to complete the excavation.
- 7 September 2012 – email from David McKinley to John White and Pat Doherty outlining a meeting he had with John O’Keeffe and stating that a further 10 week extension to the crannog excavation would be required.
- 14 September 2012 – email to David McKinley from John O’Keeffe outlining excavation, extension and post-excavation requirements.
- 17 September 2012 – email from David McKinley to Pat Doherty and John White forwarding on the email from John O’Keeffe which is described within this email as “NIEA’s written explanation as to the need for further time to complete the archaeological dig beyond the originally stated 8 week period”.
- 13 September 2012 – email from Mike Pitts (British Archaeology) to Ann Williamson from DRD requesting a copy of the ‘Cherrymount Link Road Scheme – Archaeological Investigations’ report prepared by Amey (a copy of this report is attached to the email). A subsequent email trail to the 17 September 2012 leads to Roads Service allowing the report to be sent to Mr Pitts.
- 19 September 2012 – email to David McKinley from Seamus Keenan with submission to DRD Minister about the Cherry Mount Link attached.
- Article from Archaeology Ireland Autumn 2012 edition by Robert Chapple titled ‘Cherrymount Crannog, Fermanagh’.
- 23 October 2012 – minutes from Drumclay Crannog, Cherrymount Link Road – Progress Meeting Phase 2 Start Week 12.
- A32 Cherrymount Link CE094 – Suspension of the works within the vicinity of the crannog (Part 1 & 2) – list of contractor costs.
- 13 December 2012 email from David McKinley to John White with contractor costs attached.

- 18 December 2012 - emails between Derek Graham (Amey) and David McKinley outlining costs to Farrimond MacManus.
- 19 December 2012 - emails between David McKinley and Steven McKinney and John O'Keeffe regarding Amey to NIEA - H&S hand over of crannog excavation area.
- 8 March 2013 – BBC report 'Fermanagh crannog dig extended for a further one week'.
- Inner flap of the file included a number of photographs of the excavation of the crannog that are dated 29 November 2012. No further information with these.

## APPENDIX III

### KEY PERSONS INVOLVED IN THE ARCHAEOLOGICAL DECISION-MAKING PROCESS AT DRUMCLAY CRANNOG

#### Department of the Environment - NIEA: Built Heritage

(in order of time)

**Claire Foley**, Senior Inspector – dealt with initial correspondence, and subsequently with the site

**Paul Devlin**, Contractor, Pro-Arc Ltd, who was caseworker for the area, but had limited involvement with the site

**Edith Logue** (nee Gowdy), Archaeological Inspector, dealt with earlier stages of the project

**Maybelline Gormley**, Senior Inspector – dealt with works on site 2012 onwards, has been on site since then

**Ernie Halliday**, Principal Engineer, Central Procurement Directorate, Department of Finance and Personnel – advised NIEA about geotechnical issues

**Dr John O’Keeffe**, Principal Inspector, became involved in the operational issues around the site in July 2012

#### Department of Regional Development – Roads Service

**David McKinley**, Principal Professional and Technical Officer (Principal Engineer)

**Seamus Keenan**, Senior Professional and Technical Officer (Senior Engineer)

Design of the road was handled through Roads Service agents, namely AMEY

**Declan Hurl**, AMEY Archaeologist

**Steven McKinney**, AMEY Engineer

**John Knight**, AMEY Engineer

**David Brennan**, AMEY Engineer

**Rodney Moffett**, AMEY Engineer