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My dear Michael,

First of all so many congratulations on your new Cabinet post; it is so very well deserved and it is wholly right that the PM should reward your obvious merit by giving you such an important task.

I can only apologise for accompanying these words by asking you to read the following about which you will shortly be asked to make a decision. I should add that I was about to write the same letter to Philip. Giles Ahern, a first class official in the MOD, in fact Deputy Fleet Secretary, has been working with me for several years on a task which started under his equally impressive predecessor. This is a brief summary of it.

In 1744, HMS Victory, (the one before Nelson's) sank with 1200 hands in a violent storm. It was the flagship of Admiral Sir John Balchin, from whose cousin I am descended (he had no Balchin descendents). It lay in the Channel undiscovered until 2008 when an American firm, Odyssey Marine Exploration, found it and eventually found me. There was a lengthy public consultation during which I offered to found a charity, The Maritime Heritage Foundation, which would attempt to 'do a Mary-Rose' on the remains. The largest ship in the world when it capsized, Victory contains a collection of unique Georgian huge bronze cannon, many of which are visible on the sea bed, it is (XX) XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX. My offer was the only one, and was eagerly accepted by the MOD, and it was transferred to the Foundation by deed of gift, with the proviso that any excavation would require the permission of the MOD Secretary of State, 'that consent shall not be unreasonably withheld'. The redoubtable Dr Margaret Rule, the architect of the Mary-Rose excavation, is the chairman of my Foundation's archaeological committee. I emphasise that we all work entirely voluntarily.

Any British warship wreck is considered to be 'Sovereign Immune' and thus not subject to the normal international rules of salvage which allow the finders to declare it to the Receiver of Wreck in their countries and to keep a percentage, normally 80%, of the value. The minute that it was passed to the Foundation, however, 'Sovereign Immunity' was given up and it currently has the status of a merchant vessel, a legal prey, in fact, to any rogue salvor from any foreign port. One cannon has already been stolen by a Dutch pirate and only luck has made its recovery possible. Hence now a decision is urgent. The wooden parts of the ship have disintegrated beyond recovery, by the way.

I had taken care to negotiate a hard won deal from the American firm: they will underwrite the total costs of excavation, archaeology, research, reporting, a bond of XXXXX conservation and exhibition of the artefacts of the Victory, bringing them ashore in the UK, whence they will be offered to a UK museum. I have begun talks with several possible locations, including XXXXXXXXXXXXXXXXXXXXXXX and have offered them to the

100 cannon is worth many millions today for melting and I don't want them to disappear as have many war memorials of late.

My lawyers, experts in maritime law, believe that, after two and a half years of prevarication, consent is being 'unreasonably refused', and, either we should just go ahead anyway, or seek judicial review. Odyssey, now with a billion pound deal on deep sea mineral deposit recovery, have plenty of money to fund this. I don't want to be pushed into either choice; I have done nothing ever to embarrass the government and do not want to start now.

However, the artifacts are at grave risk of theft or destruction, and the project at risk of failure because of a small band of vociferous ideologues with their own agendas and I am determined not to be beaten by them.

It is worth noting by the way that if these artifacts were under my land, instead of being under the sea, the Portable Antiquities Scheme would allow me to dig them up and sell them on the market, or, if Treasure Trove, be paid the commercial value by the State!

This is a crazy situation where bureaucratic systems have been exploited by a xxxxxxxx and I hope that it will be resolved so that Odyssey's ship can take its equipment to the site before Winter sets in.

I know that Giles will give you a clear and balanced view of the arguments to assist you in making a decision.

Once again, sincerest apologies for disturbing your first few days in office with an impatient letter; do by all means ask me to come in if you wish xxxxxxxxxxxxxxxx

Warmest regards,

Yours ever,

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