



## ENGLISH HERITAGE

Rhonda Scobie-Crago  
Defra  
Area 2C  
Nobel House  
17 Smith Square  
London SW1P 3JR

Our ref: Defra/MPS

1<sup>st</sup> February 2010

Dear Ms Scobie-Crago,

### **Response to Defra consultation on Appraisal of Sustainability for the Marine Policy Statement**

Thank you for your request (via email dated 20<sup>th</sup> January 2010) to comment on the draft Appraisal of Sustainability prepared by the UK Government and Devolved Administrations for the Marine Policy Statement. This response represents the collective view of English Heritage.

#### **Introduction**

English Heritage is the UK Government's statutory adviser on all aspects of cultural heritage including the English area of the UK territorial seabed, as provided for under the National Heritage Act 2002. English Heritage is an Executive Non-Departmental Public Body sponsored by the Department for Culture, Media and Sport and we report to Parliament through the Secretary of State for Culture, Media and Sport. In the delivery of our duties we work in partnership with central government departments, local authorities, voluntary bodies and the private sector to conserve and enhance the historic environment; broaden public access to the heritage; and increase people's understanding of the past.

#### **The Marine Historic Environment**

The number of protected historic shipwrecks is very small (ranging from possible prehistoric seafaring craft with associated cargos through to prototype submarines) and they are only one aspect of English Heritage's interests in promoting the understanding, management and public enjoyment of the historic environment. It is therefore important for us to describe the marine historic environment as also comprising submerged and often buried prehistoric landscape areas and elements, together with archaeological sites and remains of coastal

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activities (e.g. fish traps) dating from all eras of history. We therefore consider it essential to ensure the management and use of the full range of the historic environment, is conducted in a manner that best serves the public understanding and enjoyment of the whole, and not just of the designated and protected sites.

We have provided a set of comments on the AoS in the following annex to this letter.

Yours sincerely,

**Christopher Pater**

Cc Ian Oxley (Head of Maritime Archaeology, English Heritage)  
Pat Aird (Head of Planning and Regeneration, English Heritage)  
Peter Murphy (Coastal Strategy Officer, English Heritage)  
Liz Ager (Head of Heritage Protection, DCMS)



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### Annex I - Tabulated response

Reference	Comment
Table 2.2 (AoS objectives and guide questions)	For objective 6 we suggest that the focus should be on the concept of the integrity of the particular seabed geological/geomorphological feature(s) rather than specifically relating this to the structure and function of ecosystems which a particular seabed geological/geomorphological feature might support. For objective 7 we suggest that it is important to stress the capacity to characterise the landscape/seascape to enable a consideration of how change in character influences our perception of landscape/seascape.
Chapter 2, final bullet point	Amend “heritage” to “the Cultural Heritage” (the High Level Marine Objectives uses this term) or “the Historic Environment” (see description provided in letter above)
Section 6 “Appraisal of Affects upon coastal process”	We note the inclusion of cultural heritage in Table 4.2 under “potential sensitive receptors”, but we add that we accept the on-going loss of sites of historic and archaeological interest due to dynamic coastal change. We therefore focus attention on mapping historic environment features so that a strategic assessment can be made to direct resources towards capturing information about sites before they are lost.
Table 7.1	<ul style="list-style-type: none"><li>• Under “energy” and “aquaculture” we add that the expansion of offshore wind farm energy infrastructure has the potential to limit uninterrupted access by survey vessels to examine the seabed and sub-seabed environment. We also offer the following amendment to the final sentence under “Energy”: “The construction of onshore installations required to service such offshore energy schemes could also have adverse impacts on the fabric and setting of heritage features, e.g. new electricity transmission lines to connect offshore wind farms to the national grid may affect the setting of such features within the landscape. Historic landscape characterisation is therefore an important mechanism to assess the implications of change.”</li><li>• Under “fisheries” we suggest amending second sentence to: “Wrecks and the remains of aircraft can also be adversely impacted by other fishing methods that place gear on a site”.</li><li>• Under “Recreation and Leisure” we suggest amending first sentence to: “Historic or archaeological sites can be disturbed by diving activity and artefacts may be removed affecting site integrity.”</li><li>• Under “Aspects which may benefit cultural heritage”, we suggest amendment to: “The Key Considerations in Chapter 3, Part One of the MPS, notably the requirement to be consistent with UK, EU legislation and other international conventions”</li></ul>
Table 7.2	Under “Current and future baseline conditions in absence of MPS”, we suggest amending in first row, penultimate sentence to: “Heritage legislation in the UK is currently undergoing a period of reform, but Council of Europe (Revised) Archaeological Heritage Convention 1992 (the Valletta Convention) provides over-arching protection for all archaeological remains and their context, including those found underwater.”

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	<p>We also suggest that within this section you may wish to consider making reference to the new Marine Licence as provided for under the Marine and Coastal Access Act 2009 which in section 115(2) sets out “the need to protect the environment” with environment defined as inclusive of “any site (including any site comprising, or comprising the remains of, any vessel, aircraft or marine structure) which is of historic or archaeological interest.”</p> <p>Under “Performance Against AoS Objectives”, we suggest amendment to: “Specific consideration of heritage assets is required by the need for, and contents of, assessments as set out in Chapter 3. Activity specific guidance is expanding as demonstrated by guidance published for marine aggregates, offshore renewable energy infrastructure and ports, which identifies heritage as a consideration in determining developments in these category. The MPS therefore reinforces the present statutory obligations under the SEA and EIA Regulations and emphasises the importance of thorough and accurate heritage assessment.”</p>
7.4 (Discussion)	<p>We suggest amendment in the paragraph starting: “Consequently, by reinforcing existing good practice and legislative requirements, it is considered that the MPS is broadly supportive of the AoS Objective and the first of the guide questions in principle. It does so by seeking to ensure that cultural heritage assets are given due consideration in the process of planning and consenting new developments, and other licensable activities, in the marine environment and that mitigation measures are considered where relevant.”</p> <p>We suggest amendment in the paragraph starting: “The second and third guide questions address issues that are dealt with less well in the current planning and consenting system. The MPS presently adds little to ensure that impacts on historic landscapes and socio-cultural connections will be taken into account in decision-making. Although further attention could be directed at historic landscape characterisation and its application in the marine environment”</p>
Table 7.3	<p>The use of the term “conservation” should also include safeguarding access to such sites. In particular, planning ensure that safe access remains possible to facilitate subsequent examination to help qualify historic environment importance.</p> <p>Fourth row, please amend to: “Where terrestrial designations are identified it should be clear that these are likely to be affected indirectly (i.e. in terms of their setting or the need for associated onshore developments) or directly if the site extends into an area subject to marine planning and licensing.”</p> <p>Row seven, please amend to: “The archaeological resource on the UK continental shelf is much more diverse than stated in the draft and includes submerged landscapes, evidence of past cultures and military aircraft.”</p>
Table 9.3	<p>Row three, we suggest that you may wish to add that the use of historic landscape characterisation enables an assessment of how a particular landscape may assimilate change.</p>