



Historic England

Marine Conservation Team
Marine Management Organisation
Lancaster House
Newcastle upon Tyne
NE4 7YH

Our ref: MMO/MPAs
Your ref:
Telephone: 07798 653897

15th December 2020

Dear Sir/Madam,

Call for evidence on the MMO draft assessment of marine non-licensable activity impacts and potential management options for the Studland Bay Marine Conservation Zone (MCZ)

Thank you for your letter, dated 28th October 2020, and the invitation to provide additional evidence and views on our draft assessment of the impacts of marine non-licensable activity on the conservation objectives of Studland Bay MCZ and potential management options.

We appreciate the explanation provided that 'Marine non-licensable activities' are activities that do not require a marine licence (excluding fishing activities), such as the use of motorised and non-motorised watercraft and recreational diving.

In summary, Historic England supports action as might be taken by the MMO that will support the achievement of conservation objectives for Studland Bay MCZ, as advised by Natural England.

Introduction

The Historic Buildings and Monuments Commission for England (HBMCE), known as Historic England, is the Government's adviser on all aspects of the historic environment in England including historic buildings and areas, archaeology and historic landscape with a duty to promote public understanding and enjoyment. HBMCE is an executive Non-Departmental Public body sponsored by the Department for Digital, Culture, Media and Sport (DCMS) and we answer to Parliament through the Secretary of State for Digital Culture, Media and Sport although our remit in conservation matters intersects with the policy responsibilities of a number of other government departments.



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The National Heritage Act (2002) gave HBMCE responsibility for maritime archaeology in the English area of the UK Territorial Sea and we provide advice in regard to the historic environment as found within the English Inshore and Offshore Marine Planning Areas, and defined by the Marine and Coastal Access Act 2009.

The Marine Protected Areas – Marine Conservation Zones

We appreciate that the designation of MCZs, through the Marine and Coastal Access Act 2009, in sub-section 117(7) states that when designating a MCZ the designating authority may have regard to economic and social consequences. Sub-section 117(8) specifies that the term “social” includes “any sites in that area (including any sites comprising, or comprising the remains of, any vessel, aircraft or marine installation) which are of historic or archaeological interest.”

Studland Bay MCZ

We note that the MMO draft assessment of marine non-licensable activity impacts at this site has determined that the ‘subtidal sand feature’ is sensitive to impacts from mooring and anchoring (all vessels); the ‘seagrass bed’ feature is sensitive to impacts from mooring and anchoring (all vessels) and powerboating and sailing with an engine and ‘long-snouted seahorse’ are sensitive to impacts from mooring and anchoring (all vessels) and powerboating and sailing with/without an engine. We acknowledge that it is the MMO’s current opinion that the conservation objectives for these features may not be achieved due to their vulnerability to these activities.

Call for evidence questions – MCZs

From the questions set in your letter, as dated above, we have directed our attention to the following matters associated with the potential management options identified to further the conservation objectives set for the identified marine protected areas.

Question 1 – *Do you have any additional information about the location, condition or sensitivity of the designated feature and/or its sub features?*

We do not have any specific comment or advice to offer regarding this question.

Question 2 – *Do you have information about the level or nature of marine non-licensable activity within the site? We are particularly interested in anchoring, use of moorings, vessel use and recreational diving and snorkelling.*

We are not directly aware of any archaeological diving and/or snorkelling activity that presently occurs within this MCZ.

Question 3 – *How would each of the proposed management options affect you?*

- Management options for anchoring;
- Management options for mooring;
- Management options for powerboating or sailing with an engine (launching and recovery, participation);
- Management options for sailing without an engine (launching and recovery, participation); and
- Management options for recreational diving and snorkelling.



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We note the statement that under the 'Management options for anchoring' and 'Management options for mooring' that the MMO does not believe that management option 1 is sufficient to protect Studland Bay MCZ due to the levels of anchoring and mooring activity occurring at the site as well as the evidence for the damage caused to the features of the site. Regarding the other proposed options it would seem that subject to the advice from the Statutory Nature Conservation Body that action may be necessary to adopt an option that includes byelaw measures if a voluntary code is not considered viable with stakeholders and other interested parties.

Regarding 'Management options for powerboating or sailing with an engine (launching and recovery, participation)', we consider it appropriate that the matter is discussed fully with all interested parties which should be considered inclusive of sectors that may support archaeological access, but requiring craft that should not be described as 'powerboats' that provide transport for diving or snorkelling investigations.

Regarding 'Management options for recreational diving and snorkelling', we consider it appropriate that the matter is discussed fully with all interested parties which are engaged with archaeological diving or snorkelling investigations, which should be considered as inclusive of diving bodies e.g. BSAC and PADI; academic research departments; and the Nautical Archaeological Society. We appreciate the responsibility the MMO has to ensure measures are put in place to enable the conservation objectives for the MCZ designated features to be achieved. However, we note that particular attention is directed at anchoring, mooring, powerboating and sailing with/without an engine. It would therefore seem appropriate that for recreational diving and snorkelling that all efforts should be applied to devising and implementing Option 2 with the support of stakeholders.

Question 4 – *What other effects will each of the proposed management options have?*

To demonstrate how we consider our activities or the other marine archaeological projects that we support we commissioned a report to examine compatibility between cultural heritage activities and MCZ conservation objectives. We therefore direct you to: *Historic Environment Projects and Activities within Marine Conservation Zones* (Historic England, Project No. 7364, dated August 2017)¹

Question 5 – *With regard to management option 2 and 3 for anchoring, to achieve the conservation objectives of the site:*

We do not have any specific comment or advice to offer regarding this question.

Yours faithfully,



Christopher Pater
Head of Marine Planning

¹ <https://research.historicengland.org.uk/Report.aspx?i=15869>