



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 fishing impacts and potential management options for:
Dogger Bank Special Area of Conservation (SAC)
Inner Dowsing, Race Bank and North Ridge SAC
The Canyons Marine Conservation Zone (MCZ) and
South Dorset (MCZ)**

Thank you for your letters, dated 28th October 2020, and the invitation to provide comment on a range of potential management options to address known fishing activity in each of the above identified marine protected areas.

In summary, Historic England supports action as might be taken by the MMO that will support the achievement of conservation objectives for Dogger Bank Special Area of Conservation (SAC); the Inner Dowsing, Race Bank and North Ridge SAC; The Canyons Marine Conservation Zone (MCZ); and South Dorset MCZ, as advised by Natural England and Joint Nature Conservation Committee (JNCC) conservation.

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.

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



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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 – Special Areas of Conservation

Dogger Bank SAC

We understand for this SAC, the MMO assessment of fishing impacts has determined that the site's designated conservation feature ('sandbanks which are slightly covered by seawater all the time') is current in unfavourable status. Furthermore, we understand that this conservation feature is sensitive to impacts from the semi-pelagic and demersal trawl, demersal seine and dredging activities at the levels taking place. We therefore acknowledge the MMO's current opinion that the conservation objectives for this feature may not be achieved due to its vulnerability to these activities.

Inner Dosing, Race Bank and North Ridge SAC (North Sea)

We understand that for this SAC there is an identified pathway for disturbance from bottom-towed gear (demersal trawl, demersal seine and dredging) and the impacts alone may result in adverse effect on site integrity. Furthermore, we appreciate that it is the MMO's current opinion that the conservation objectives for these features may not be achieved due to its vulnerability to these activities.

Call for evidence questions – SACs

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 these 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 fishing activity within the site?* From the identified means of fishing and the 'gear' involved, we noted the following:

- *What are the other environmental effects of these gears?*

We offer the response that while we do not have any information about the level or nature of fishing activity within these SACs, we are aware that there could be other 'environmental effects' from the use of certain types of gear. In particular that direct impact could occur between mobile, seabed impacting fishing gear and archaeological materials on and exposed through the seabed. We appreciate that mutual avoidance is the preferred strategy, but mobile and dynamic seabed conditions present the risk that presently unknown cultural heritage sites might be encountered. For further detail about our assessment of the interaction between the historic environment and commercial fishing activity, we offer the following report we commissioned which examines such matters: Firth, A., McAleese, L., Anderson, R., Smith, R., and Woodcock, T (2013) *Fishing and the Historic Environment*. Report Reference: EH6204. Prepared for English Heritage (Swindon)¹

¹ <https://research.historicengland.org.uk/Report.aspx?i=15757>



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

We offer the observations:

- Option 1 – in consideration that cultural heritage is not a SAC (designated) feature we do not anticipate involvement in the preparation and delivery of a ‘monitoring and control plan’.
- Options 2 and 3 – we would anticipate that by reducing potential impacts of gears that directly impact the seabed that inadvertent impact to known or presently unknown archaeological materials could be reduced.

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

In reference to Options 2 and 3 it is possible that the reporting of impacts or accidental recovery of other environmental evidence e.g. peat as demonstrating the presence of a former landscape and associated features, could diminish. We direct you to the following report for further information which also highlights the historical legacy of recovery of such material through fishing: Russell, J. and Stevens, C. (2014) *Palaeoenvironmental assessment of peat samples*. The Crown Estate, 28 pages. ISBN: 978-1-906410-537²

Question 5 – With regard to management option 2, to achieve the conservation objectives of the site

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

The Marine Protected Areas – Marine Conservation Zones

We have separated out our response in recognition that the designation process of Marine Conservation Zones, through the Marine and Coastal Access Act 2009, in section 117 sets out the grounds for designating MCZ to protect certain species, natural habitats, geological and geomorphological features. 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.”

The Canyons MCZ

We note that the MMO draft assessment of fishing impacts at this site is that designated features comprising ‘coral gardens’, ‘cold water coral reefs’ and ‘sea-pen and burrowing megafauna communities’ and ‘deep-sea bed’ are sensitive to the impacts of demersal fishing activities including demersal trawls, demersal seines and anchored nets and lines. We therefore acknowledge the MMO’s opinion that the conservation objectives for these features may not be achieved due to its vulnerability to these activities.

South Dorset MCZ

We note that the MMO draft assessment of fishing impacts at this site is that designated features comprising ‘sub-tidal chalk’, ‘moderate energy circalittoral rock’ and ‘high energy ciralittoral rock’ are sensitive to the impacts of bottom towed fishing. For these features the conservation objectives will not be achieved due to its vulnerability to bottom towed fishing and that the designated feature ‘sub-tidal coarse

² <http://www.cmscoms.com/?p=1653>



sediment' is also sensitive to the impacts of bottom towed fishing gear although to a lesser degree.

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 fishing activity within the site?* From the identified means of fishing and the 'gear' involved, we noted the following:

- *What are the other environmental effects of these gears?*

We offer the same response as above, that while we do not have any information about the level or nature of fishing activity within these MCZs, we are aware that there could be other 'environmental effects' from the use of certain types of gear. In particular that direct impact could occur between mobile, seabed impacting fishing gear and archaeological materials on and exposed through the seabed. We appreciate that mutual avoidance is the preferred strategy, but the risk may still exist presently unknown cultural heritage sites might be encountered. For further detail about our assessment of the interaction between the historic environment and commercial fishing activity please see Firth, A et. al (as referenced herein).

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

We offer the observations:

- Option 1 – in consideration that cultural heritage is not a MCZ (designated) feature we do not anticipate involvement in the preparation and delivery of a 'monitoring and control plan'.
- Options 2 and 3 – we would anticipate that by reducing potential impacts of gears that directly impact the seabed that inadvertent impact to known or presently unknown archaeological materials could be reduced.

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

In reference to Options 2 and 3 it is possible that the reporting of impacts or accidental recovery of new archaeological discoveries could diminish.

Question 5 – *With regard to management option 2, 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



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