



ENGLISH HERITAGE

Marine Natura Sites Manager
JNCC
Monkstone House
City Road
Peterborough PE1 1JT

Our ref: JNCC/N2K
Your ref: CJ/462

5th November 2010

Dear Sir/Madam,

Consultation on marine Special Areas of Conservation in Offshore Waters adjacent to England – Dogger Bank

Thank you for the invitation to submit a response to this consultation exercise as set out in your letter of 20th August 2010. Please consider this letter as the corporate response of English Heritage.

The role of English Heritage

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 (DCMS) and we report to Parliament through the Secretary of State DCMS. In the delivery of our duties we work in partnership with central government departments, local authorities, voluntary bodies and the private sector and we aim to carry out our duties within the framework of a set of *Conservation Principles*. These principles can be summarised as follows:

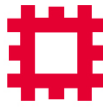
- The historic environment is a shared resource
- Everyone should be able to participate in sustaining the historic environment
- Understanding the significance of places is vital
- Significant places should be managed to sustain their values
- Decisions about change must be reasonable, transparent and consistent
- Documenting and learning from decisions is essential

In consideration that this consultation addresses conservation matters within UK Controlled Waters adjacent to England any comment we offer is given without prejudice and we therefore advise you to contact DCMS, and us, should you wish to discuss such comments further.

FORT CUMBERLAND, EASTNEY, PORTSMOUTH PO4 9LD

Telephone 023 9285 6735 Facsimile 023 9285 6701 www.english-heritage.org.uk

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SAC consultation exercise

We appreciate that sites proposed as Special Areas of Conservation (SACs) are done so exclusively on a scientific evaluation of the presence of natural habitats and species as prescribed by the EU 'Habitats Directive' (92/43/EEC). We will therefore not respond on matters pertaining to the scientific case for site identification. We also understand that the Habitats Directives does not permit social or economic factors to influence the identification of sites or the delineation of boundaries for such sites. Consequently, we will focus our response on the following matters to be addressed within the accompanying Impact Assessments:

- how and to what extent the proposed designation may impact management of the marine historic environment;
- our understanding of the estimated potential costs and benefits of the proposed designation to our interests and the activities which we support; and
- identification of any potential unintended consequences.

Our focus on these matters is important given that the Impact Assessment may be used to design the measures considered necessary to manage activities within the proposed site to support conservation of the identified features.

Dogger Bank possible SAC

We understand that JNCC has identified Dogger Bank as a possible offshore SAC for its sandbank habitat and that the framework for the identification and designation of this SAC is delivered through the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007 (as amended). We noted in Table 2.1 (Dogger Bank and associated biological communities) that a category 'moderately vulnerable to obstruction' included 'wreck' and we are keen to understand if the conservation objectives for the management of Dogger Bank will appreciate the historic context of some wreck (i.e. present at the time of designation).

We noted in section 3.3 (Benefits), the reference to the Millennium Ecosystem Assessment (2005) and the example used of cultural services thus: 'the role of marine species in culture and the artistic inspiration they provide'. However, we appreciated the consideration given to archaeology as a component of cultural services in section 4.3(c) as we see this as relevant to the application of the UK Government and Devolved Administrations High Level Marine Objectives (2009). We therefore support this interpretation of the term 'cultural services' and we offer the following publication as demonstrating the importance of this area to our understanding of the historic environment: Gaffney, V., Thomson, K. and S. Fitch (eds.) 2007. *Mapping Doggerland. The Mesolithic Landscapes of the Southern North Sea*. Archaeopress: Oxford. Investment in research projects, such as referenced above (supported by the Aggregates Levy Sustainability Fund) has expanded our understanding of Mesolithic environmental conditions in North-west Europe and the palaeogeographic significance of the Dogger Bank. This area will continue to attract research activity as

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demonstrated by the *North Sea Prehistory and Management Framework* published in 2009 by English Heritage and Rijksdienst voor het Cultureel Erfgoed (The Netherlands), and thereby continue to represent an important aspect or component of 'cultural services'.

Yours faithfully,

Christopher Pater
Marine Planning Unit

Cc Ian Oxley (Head of Maritime Archaeology Team – English Heritage)
Laura Clayton (Head of Economic and Social Research – English Heritage)
Peter Murphy (Coastal Strategy Officer – English Heritage)
Andy Hammon (Regional Science Advisor, Yorkshire – English Heritage)
Annabel Houghton (Sector Policy Adviser, Historic Environment – DCMS)

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