



ENGLISH HERITAGE

Offshore Energy SEA 2 Scoping
The Department of Energy and Climate Change
4th Floor Atholl House
86-88 Guild Street
Aberdeen AB11 6AR

Our ref: DECC/SEA offshore

15th April 2010

Dear Sir/Madam

**UK Offshore Energy SEA 2: Scoping for Environmental Report
Future Leasing/Licensing for Offshore Renewable Energy, Offshore Oil & Gas and Gas
Storage and Associated Infrastructure**

Thank you for the invitation to respond to the consultation on scoping exercise for the Environmental Report of the UK Offshore Energy SEA (UKOESEA2) as notified by an email of 4th March 2010. Please consider this as our corporate response. For your information we provided a response to the first phase of this SEA exercise in our correspondence to you dated 21st April 2009

Introduction

English Heritage is the UK Government's statutory adviser on all aspects of cultural heritage including the English area of the UK Territorial Sea, 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 for DCMS. However, for activities that occur beyond the 12 nautical mile limit of the English area of the UK Territorial Sea any advice that we do offer is given informally and without prejudice.

In the delivery of our duties we work in partnership with central government departments, local authorities, voluntary bodies and the private sector within the framework of our published Conservation Principles which 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; and
- documenting and learning from decisions is essential.

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Our responsibility under the Protection of Wrecks Act 1973, within the English area of the UK Territorial Sea, is to consider applications and recommendations for designation, re-designation and de-designation of shipwreck sites. On the basis of our advice the Secretary of State (DCMS) is responsible for designating restricted areas around sites which are, or may be, shipwrecks (and associated contents) of historic, archaeological or artistic importance. The Secretary of State is also responsible for the issuing of licences to authorise certain activities in restricted areas that otherwise constitute a criminal offence. At the end of the reporting year in March 2010 there were 46 sites designated within the English area of the UK Territorial Sea.

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 activities (e.g. fish traps) dating from all eras of history. However, we 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 must add that we are supportive of the High Level Marine Objectives, published in 2009, by the UK Government and Devolved Administrations which demonstrate a commitment to an "effective, integrated and strategic management of human activities in the marine environment..." Consequently, we value the attention paid to marine heritage assets within the pre-consultation on the draft UK Marine Policy Statement (dated March 2010).

We have set out in the following annex our response to the consultation questions.

Yours faithfully,

Christopher Pater
Maritime Archaeology Team

cc Duncan McCallum (Policy Director, English Heritage)
Ian Oxley (Head of Maritime Archaeology, English Heritage)
Pat Aird (Head of Planning and Regeneration, English Heritage)
Annabel Houghton (DCMS – Sector Policy Adviser, Historic Environment)

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ANNEX I: Response to the consultation

Question	Comment
1. Do you have any comments on the proposed approach to consultation?	No further comment to offer at this stage
2. Consultees are invited to highlight additional initiatives which they consider relevant to the draft plan/programme.	It was noticed that the introductory sections of the consultation document did not refer to the UK Government and Devolved Administrations High Level Marine Objectives (published in 2009) or the draft Marine Policy Statement (as provided for in the Marine and Coastal Access Act 2009). A clear explanation about how these two documents will inform the SEA and subsequent decision making is required and should not be restricted to section 2.3 (Biodiversity).
3. Consultees are invited draw attention to and provide (where relevant/possible) additional information and data sets which they consider of potential relevance to this SEA.	<ul style="list-style-type: none">• Section 2.2 Geology, Substrates and Coastal Processes – add under “local”: Planning Policy Statement 5 – Planning for the Historic Environment.• Section 2.3 Seascape/Landscape – amend PPG15 to Planning Policy Statement 5. We add also that in paragraph 2.3.2 (Implications for SEA) more attention should be given to mitigation strategies as necessary to support the SEA objectives.• Section 2.8 Cultural Heritage – under “UK” add National Heritage Act 2002 and under “Local” add English Heritage <i>Strategic Environmental Assessment, Sustainability Appraisal and the Historic Environment</i> (published 2010). You may also wish to reassess the detail provided about the Draft Heritage Protection Bill given that it was not included in the Parliamentary session 2009/10. However, it would be helpful to add reference to the Marine and Coastal Access Act 2009, Part 3 (Marine Planning), section 54 (Duties to keep relevant matters under review) which is inclusive of historic or archaeological characteristics. A reference should also be included to the COWRIE guidance published in January 2007 entitled <i>Historic Environment Guidance for the Offshore Renewable Energy Sector</i>.• Table 3.1 (“Environmental problems relevant to offshore oil and gas licensing and wind leasing”) add under “Possible disruption of landscape/seascape due to developments visible from the coast” <i>Guidance for Assessment of Cumulative Impacts on the Historic</i>

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	<i>Environment from Offshore Renewable Energy</i> published by COWRIE in January 2008. Under “implications” add at end of sentence “...best practice to support delivery of agreed mitigation programmes”
4. Are there any objectives that you feel should be included or removed?	In Table 4.1 under SEA Topic “Cultural Heritage” it is important to stress that designated features and sites at sea are very limited and that consideration is necessary of the wider and non-designated historic environment.
5. Are the indicators for each objective suitable? If not please suggest alternatives.	Yes, but will be very limited in extent.
6. Do you have any comments on the sources of potentially significant effect for each of the activities covered by the draft plan/programme, including whether they should be scoped in or out of assessment in the Environmental Report?	Box 4.1 why was “Physical damage to submerged heritage/archaeological contexts from infrastructure construction, vessel/rig anchoring etc” included under SEA Topic “Population Human Health”? The historic environment should be considered within its own section.

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