

Marine Conservation Team
Marine Management Organisation
Conservation@marinemangement.org.uk

Date: 29.09.2025

Dear Marine Conservation Team

RE: Formal Consultation: MMO management of fishing activity impacts in marine protected areas – Stage 3

Thank you for the opportunity to comment on MMO management of fishing activity impacts in marine protected areas – Stage 3.

Introduction

Historic England is the Government's advisor on all aspects of the historic environment in England. Historic England's general powers under section 33 of the National Heritage Act 1983 were extended via the National Heritage Act 2002 to modify our functions to include securing the preservation of monuments in, on, or under the seabed within the seaward limits of the UK Territorial Sea adjacent to England. Historic England also provides advice in relation to English marine plan areas (inshore and offshore) as defined by the Marine and Coastal Access Act (MCAA) 2009.

In accordance with the Protection of Wrecks Act 1973 and the Ancient Monuments and Archaeological Areas Act 1979, Historic England supports the identification and management of heritage assets, alongside the historic environment through means such as designation, provision of expert advice, publicly accessible research and data collection.¹ Therefore, marine protected areas and fishing activity are of direct interest to Historic England.

In past responses submitted to the MMO (2023) regarding Stage 2 and Stage 3 fisheries assessments, Historic England invited the MMO to establish a dialogue/discussion about MPA management measures and potential interactions with heritage. Unfortunately, such a meeting has not yet occurred. We would therefore like to take this opportunity to invite the MMO to meet with Historic England to discuss this further.

Consultation Questions

We have directed our attention to *Question 7* and we offer the following response:

Question 7: What other impacts could the proposed management measures have? For example, on fishers, the wider fishing community, coastal communities, employment, upstream

¹ Historic England (2024). *The Planning System*. Available at: <https://historicengland.org.uk/advice/planning/planning-system/>; Historic England (date not specified). *Search the List*. Available at: <https://historicengland.org.uk/listing/the-list>; Historic England (2025). *National Marine Heritage Record*. Available at: <https://historicengland.org.uk/research/support-and-collaboration/heritage-information-access-simplified/national-marine-heritage-record/>

and downstream supply chains, people with protected characteristics under the Equality Act 2010, fish stocks, the marine environment.

Historic England is highly aware of the challenges facing our marine environment. Sustainable management of our seas requires integrated management of the natural and historic environment as set out in our joint statement with Natural England and the National Lottery Heritage Fund.² Unfortunately, there is limited reference to cultural heritage within the circulated Stage 3 consultation documentation despite the attention given to the historic environment within the UK Marine Policy Statement and Joint Fisheries Statement (2022) as an integrated part of the marine environment.³ While we understand that the main function of the byelaws is to meet conservation objectives for designated species and habitats, it is important to highlight that the historic and natural environment are intrinsically intertwined, thus any action taken regarding habitats and species inevitably has the potential to affect heritage assets,⁴ whether intended or not.

We have commissioned research on Fishing and the Historic Environment (2013), which indicated that heritage assets falling within MPAs may, incidentally, benefit from protection from seabed disturbance.⁵ It is therefore likely that prohibitions upon bottom towed and static gear will likely generate co-benefits to marine designated and undesignated heritage assets. For example, Dogger Bank is one of the areas included in *The North Sea Marine Protected Areas Fishing Gear Byelaw 2024* draft and is well known for its heritage potential, as indicated in Section 32 of the East Inshore and East Offshore Marine Plans:

“The area also contains a wealth of archaeological sites and heritage assets. In locations such as the Dogger Bank, the potential exists to discover evidence of prehistoric activity in areas that were once on land. In other locations across the offshore area discoveries of early human remains have been prevalent.”⁶

Similarly, we continue to see some forms of fishing causing harm to designated and non-designated wrecks. Recently, the protected wreck of The Coronation (Inshore), situated within the Plymouth Sound and Estuaries Special Area of Conservation, was subject to an investigation into damage caused to the heritage asset as a result of potting within the designated area.⁷ Thus, where wrecks incidentally sit within an MPA, the proposed byelaws should reduce the likelihood of fishing-related damage. Further, reduction in physical

² Natural England, Historic England, National Lottery Heritage Fund (2023). *Integrating the Management of the Natural and Historic Environment*. Available at: <<https://historicengland.org.uk/advice/caring-for-heritage/rural-heritage/landscape-and-areas/joint-statement-integrating-management-natural-historic-environment/>>

³ HM Government, Northern Ireland Executive, Scottish Government, Welsh Assembly Government (2011). *UK Marine Policy Statement*. Available at: <<https://www.gov.uk/government/publications/uk-marine-policy-statement>>; Defra, DAERA, The Scottish Government, Welsh Government (2022). *Joint Fisheries Statement*. Available at: <<https://www.gov.uk/government/publications/joint-fisheries-statement-jfs>>

⁴ *UK Marine Policy Statement*, p.21

⁵ Firth, A., McAleese, L., Anderson, R., Smith, R., Woodcock, T. (2013) *Fishing and the Historic Environment*. EH6204. Available at: <<https://historicengland.org.uk/research/results/reports/redirect/15757>>, p.62

⁶ Defra (2014). *East Inshore and East Offshore Marine Plans*. Available at: <<https://assets.publishing.service.gov.uk/media/5a7ec0eced915d74e33f2342/east-plan.pdf>>, p.16

⁷ Devon & Cornwall Police (2025). *Investigation into damage to historic shipwreck off Cornish coast*. Available at: <<https://news.devon-cornwall.police.uk/news-article/667610c6-a055-f011-9d7d-6045bdd24049>>

disturbance to the seabed will assist conservation of underwater cultural heritage in-situ, consistent with section 2.6.6 of the UK Marine Policy Statement.

Historic England would therefore welcome dialogue with the MMO on the potential for management of MPAs to deliver co-benefits for the historic and natural environment, and to streamline sustainable management of our seas.

A further potential benefit from the proposed byelaws is the reduced likelihood of Abandoned, Lost and Discarded Fishing Gear (ALDFG) damaging and obscuring heritage assets within MPAs. This is an issue which was highlighted in recent archaeological assessment and net removal from the Northumberland wreck in the Goodwin Sands, a case of relevance to the *MMO Stage 3 Site Assessment: Goodwin Sands MPA (DRAFT)* and aforementioned North Sea byelaw.⁸

Improved awareness of both the historic and natural environment, in alignment with UK Marine Policy Statement and Joint Fisheries Statement, should strengthen understanding of potential impacts from the outset as well as contribute toward mitigating socio-economic impacts upon the fishing fleet and coastal communities.⁹ Despite the weight of assessment, there is little reference to the historic environment beyond reference to marine plan policies (pp.20-24) and inclusion as impact code category (pp.94-95) in the accompanying *De Minimis Assessment: Marine Protected Areas Fishing Gears Byelaw (Draft)*. Given policies on the historic environment in Marine Plans and UK MPS, we recommend that further attention is given to the historic environment in the final De Minimis Assessment produced. Historic England would welcome further conversation on this with the MMO.

Further Contact

Should you have any questions regarding this response, please contact Jane Pettitt (Senior Policy Adviser – Environmental, Historic England) via: Jane.Pettitt@historicengland.org.uk.

We do not regard this response as confidential.

Yours sincerely,

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⁸ Pascoe Archaeology (2022). *Archaeological Assessment and Net Removal from the Designated Wreck of the Northumberland on the Goodwin Sands*. Available at: <https://historicengland.org.uk/research/results/reports/23-2022>

⁹ Firth, et al., *Fishing and the Historic Environment*, p.5