

# Response ID ANON-Z725-XZ16-H

Submitted to Consultation on the Principles of Marine Net Gain  
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## Introduction

1 What is your name?

Name:  
Rob Lennox

2 What is your email address?

Email:  
rob.lennox@archaeologists.net

3 What is your organisation?

Organisation:  
Chartered Institute for Archaeologists / Council for British Archaeology

4 Are you responding to this consultation on behalf of an organisation or as an individual?

On behalf of an organisation

5 If responding on behalf of an organisation, please briefly describe the main business activity of your company/organisation

Business activity:  
Archaeological professional institute / Archaeological charity

6 Which region of the UK do you live?

Region:  
England

7 Which of the following best describes where you live? Please select one of the below

Not Answered

## Summary and Background

### Section 1: Defining marine net gain

Principle 1: Marine net gain will measure impacts on habitats and species

8 Do you agree that marine net gain should assess impacts on species as well as habitats?

Not Answered

Please explain your answer:

Principle 2: Marine net gain will seek to incorporate environmental benefits underpinned by biodiversity

Principle 3: Marine net gain will take a 'nature first' approach whilst recognising wider environmental benefits

9 Do you agree that marine net gain interventions should be assessed with reference to environmental benefits that biodiversity enhancement can yield?

Yes

10 Please explain which extra environmental benefits and services should be included within marine net gain assessment

Environmental benefits and services to be included within marine net gain assessment:

We would welcome an approach to marine net gain which recognises a more holistic understanding of the marine environment. Our organisational interest is for the protection and enhancement of underwater cultural heritage which forms part of the historic marine environment and therefore represents part of the resource which contributes to the social, economic, and environmental value of our coastal and marine environment.

Our belief, supported by UK Government policy, is that the beauty and public value of our marine environment is located in both its cultural and natural heritage. The marine environment is defined in the Fisheries Act (2020) as including “(a) the natural beauty or amenity of marine or coastal areas, or of inland waters or waterside areas, (b) features of archaeological or historic interest in those areas, and (c) flora and fauna which are dependent on, or associated with, a marine or coastal, or aquatic or waterside, environment”. The 25 Year Environment Plan also recognises “enhanced beauty, heritage and engagement with the natural environment” among its six goals.

The UK Marine Policy Statement also includes policies on the historic environment, and recognises that ‘the historic environment of coastal and offshore zones represents a unique aspect of our cultural heritage’ and that ‘in addition to its cultural value, it is an asset of social, economic and environmental value’.

While biodiversity is rightly proposed as being the central purpose of bringing in a marine net gain system, we hope that the wider reflection on environmental net gain is applied broadly enough to include environmental benefits as they pertain to underwater cultural heritage. We would welcome exploration of this in several ways:

- Marine net gain assessments should recognise the condition of underwater cultural heritage and ensure that marine net gain activities do not adversely affect these assets or seascapes.
- Marine net gain assessments should recognise and assign additional value to any biodiversity net gain actions which also may create beneficial cultural heritage outcomes. For example, creating exclusion zones for biodiversity around sites of archaeological interests can be mutually beneficial.
- Marine net gain assessments should recognise direct biodiversity benefits of conserving and enhancing heritage assets and promote them where they represent viable and efficient routes to biodiversity net gain.

For example, archaeological sites, such as wrecks, are shown to promote diverse benthic communities and are important to fish communities, assist with stock enhancement and rehabilitation, and may provide a network of ‘stepping stones’ for species to expand their range.

If designed with MNG goals in mind, archaeological interventions, such as archaeological exclusion zones could be designed to maximise these ecological benefits. For example, the de facto benthic no-take zone represented an archaeological exclusion zone, could be made into an ecologically relevant (i.e. large enough) refuge area if the MNG framework encouraged such outcomes. This could have a major effect on current practice as currently there is no guidance on the radius of archaeological exclusion zones, which may vary on a site by site basis from 200m to only a few meters.

We therefore strongly support a system of MNG that encourages developers and their agents to seek out these cross-cutting MNG benefits. In our view, a progressive MNG framework would be one which sought to ensure that marine activities which had the potential to achieve benefits to the marine environment (as defined by the Fisheries Act 2020), were able to do so as efficiently as possible, and maximising both the range and scale of outcomes.

Additionally, ecological protections can play an incidental role in conserving archaeological interests. We would therefore welcome a MNG framework that could identify such incidental benefits to the marine environment, and able to appropriately account for them.

**Principle 4: Marine net gain assessments will not include potentially positive incidental impacts whose benefits are subject to significant uncertainty**

11 Do you agree with our proposal to discount potentially positive incidental effects, whose benefits are subject to significant uncertainty, from marine net gain assessments?

No

Please explain your answer:

We agree that net gain actions with significantly uncertain benefits should be clearly accounted for within Marine net gain assessments. However, we are concerned the consultation document appears to suggest that all benefits associated with artificial reef effects will be scoped out of MNG. Many heritage assets, such as historic wrecks, are shown to be beneficial for their biodiversity, and often represent key areas of social and cultural interest for recreational divers. This is supported by a wealth of information which exists on the effects of artificial reef structures on marine ecosystems.

For instance, research on the reef effect, whether for artificial reefs or deep wrecks, has shown that these structures can increase infaunal diversity, biomass and productivity in the surrounding sediments. In addition, the stable habitat provided by a wreck promotes the development of a diverse epibenthic community. Wrecks are also of importance to fish communities and mobile shellfish species.

Where opportunities have been afforded by integrated ecological and archaeological processes (for example in the designation of some Marine Protected Areas) useful information has been gathered. More emphasis on the assessment of wreck site habitats and species during routine archaeological surveys would be likely if a MNG framework enabled such integrated thinking. This would help inform stakeholders and identify the ecological and potential conservation importance of archaeological sites.

We are concerned that scoping out these effects in their entirety is likely to both reduce the likelihood of new research (e.g. into wreck biotopes) to determine the benefits and reduce the likelihood that innovative techniques for data-use maximisation will take place.

We recognise that the inclusion of incidental benefits (e.g. the artificial reef effects of turbine bases) would reduce the overall amount of net gain that a scheme could create. However, benefits which pass the additionality principle should not be excluded. This includes other areas where artificial reef effects are not simply incidental to development (e.g. on historic wrecks). Additionally, it would not discourage positive ‘design for nature’ schemes which

create additional benefit.

For instance, anti-scouring or exclusionary effects associated with development could potentially be increased by positive scheme design to target exclusion and scour protection in areas where they will have the most incidental benefit to ecology or underwater cultural heritage.

This type of holistic thinking in scheme design is likely to accord with opportunities presented by developer responsibilities towards the historic environment, and thus if MNG was cast broadly enough, net gain could be designed into processes such as archaeological survey of sites.

The MNG scheme should incentivise design which maximises such incidental benefits, and be flexible enough to ensure that in each context the most benefit can be built into activities (such as the protection of underwater cultural heritage) which have the potential to contribute. For example, if suitable methodologies are used, archaeological data (for example image data and spatial referencing) can be entirely adequate and suitable for ecological purposes. Further developments in ecological data acquisition strategies would be likely if archaeological and conservation objectives could be linked to a MNG framework.

**Principle 5: Marine net gain requirements will be proportionate and appropriate to the scale and type of development**

12 Do you agree that we should prioritise a contributions-style approach, whilst still exploring a metric-style approach? Please specify and explain your answer

Prioritising a contributions-style approach, whilst still exploring a metric-style approach:

13 Are there other approaches to measuring impacts that we should explore? Please specify and explain your answer

Other approaches to measuring impacts:

## Section 2: Scope of marine net gain

**Principle 6: Marine net gain will be a mandatory requirement. It will apply to all marine development, subject to any minimal thresholds and other exemptions**

14 Do you agree that marine net gain should be a mandatory requirement for new development activities within the marine environment?

Not Answered

If you answered yes, do you agree with the list of consenting and licensing regimes that marine net gain requirements should be introduced within? Are there any others we should consider? :

15 Are there activities and/or sectors that are regulated by these regimes which should not be covered by net gain requirements?

Not Answered

If yes, please explain your answer, including any relevant de minimis thresholds for each activity or regime :

## Section 3: Defining interventions

**Principle 7: Marine net gain will incentivise both active interventions and appropriate pressure reduction measures**

16 Which types of pressure reduction measures can be delivered by industry through marine net gain?

Please give examples where possible :

17 Are there any other types of intervention that should be encouraged, including innovative emerging techniques?

Tell us about any other types of interventions:

## Section 4: Taking a strategic approach

**Principle 8: Marine net gain will incentivise the delivery of strategic interventions in addition to meaningful site-based interventions**

18 Do you agree with the principle of taking both a site-level and a strategic approach to marine net gain as set out above?

Not Answered

Please explain your answer:

19 What types of site-based interventions should be incentivised through marine net gain?

Incentivising site-based interventions through marine net gain:

20 What types of strategic interventions could be incentivised through marine net gain?

Incentivising strategic interventions through marine net gain:

21 Should accessing strategic interventions be conditional in some cases?

Not Answered

If yes, which site-based features should be considered priorities ('prescribed features') ahead of strategic interventions? Please explain your answer :

22 Do you agree that marine net gain interventions should not initially be restricted to the 'locality' of the main development?

Not Answered

Please explain your answer:

## Section 5: Marine Net Gain and additionality in Marine Protected Areas

Principle 9: Marine Net Gain will allow for improvements to designated and non-designated features of Marine Protected Areas to qualify as net gain interventions

23 Do you agree that the enhancement of designated features within statutory MPAs should be allowed in the marine environment as defined above?

Not Answered

Please provide evidence to support your view :

## Glossary and Definitions

### About this Consultation

24 Would you like your response to this consultation to be confidential?

Yes

25 If you answered yes, please give your reason. You may also specify particular parts of your response that you would like to keep confidential.

Reason:

### Consultee feedback on the online survey

26 Overall, how satisfied are you with our online consultation tool?

Satisfied

27 Please give us any comments you have on the tool, including suggestions on how we could improve it.

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