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Rt Hon Philip Dunne MP
Environmental Audit Committee
House of Commons
London, SW1A 0AA

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Dear Philip,

Thank you for your letter of 10 September 2020 about the expansion of UK Offshore wind capacity and the disposal of unexploded ordnances.

We want to ensure that while we actively seek to achieve Net Zero, we are increasing marine protection to ensure healthy, resilient and diverse marine ecosystems to provide services that are vital to human health. Defra recognises the significant impact underwater noise from unexploded ordnance (UXO) clearance and other activities can have on vulnerable marine species. We are working closely with the Marine Management Organisation, other Government Departments, Statutory Nature Conservation Bodies (SNCBs) and marine industries to manage and reduce underwater noise. In June 2020, the SNCBS published the first guidance on managing underwater noise in the southern North Sea.

The MMO considers all forms of potential mitigation in relation to the effective management of underwater noise caused by UXO clearance, prior to issuing a marine licence under the Marine and Coastal Access Act (2009). UXO disposal is purposely not included as an activity within a Development Consent Order deemed marine licence so that it can be appropriately and individually assessed in accordance with Habitats Regulations requirements. A further European Protected Species or 'wildlife' licence is also required under The Wildlife and Countryside Act (1981) as amended, to provide further assessment of disturbance or injury to Harbour Porpoise in Special Areas of Conservation in the southern North Sea. Both the Habitats Regulations Assessment and the Wildlife Licence assessment (which must be issued in combination) require the applicant to provide noise mitigation in line with the best available scientific evidence.

At present, there are a still key knowledge gaps regarding measurement and prediction of acoustic fields from underwater explosions during UXO disposal ([Characterisation of Acoustic Fields Generated by UXO Removal – Phase 2, Report June 2020](#)). UXO disposal by low-order, termed deflagration, is not scientifically proven to be 100% effective at removing UXOs and there are health and safety concerns that deflagration may disturb the UXO but not fully detonate it. This means the requirement for other forms of mitigation, such as acoustic deterrent devices are still needed, due to the possible need to resort to a controlled explosion on health and safety grounds. Controlled testing, undertaken by Hartley Anderson consultancy in collaboration with Loughborough University, indicates positive results in reducing noise. The conclusions of these tests were delayed slightly due to the onset of Covid 19, but have recently been published ([Underwater acoustic](#)

[characterisation of unexploded ordnance disposal using deflagration](#)). This technique should now be ready to test in the offshore marine environment, to assess risk and success, before this method can be endorsed as a safe and viable option.

Once the risk to vessels and mariners is proven to be negligible and the corresponding scientific evidence on noise impact is available, the MMO, under the advice of the SNCBs, may be able to formally condition the use of this technique.

Defra is committed to establishing a comprehensive understanding of noise disturbance in the marine environment, to better comprehend impacts and support new methods of effective mitigation and noise reduction to protect and enhance the marine environment. In support of this we are working with the Southern North Sea Regulators Working Group to set up a Strategic Advice Group consisting of policy officials, Regulators, offshore wind industry, oil and gas industry, The Crown Estate, Seabed User & Developer Group, Environmental NGOs and seismic profilers which will identify evidence gaps, highlight key areas for research and facilitate the adaptation of existing guidance to further the effective management of underwater noise.



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