



**Northern Ireland
Assembly**

Committee for Agriculture and Rural Development

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From: Stella McArdle,
To: Alex McGarel, Clerk, Committee for the Environment
Date: 24th April 2012
Subject: Committee response to the Marine Bill

The Committee for Agriculture and Rural Development recently received a request from the Committee for the Environment for comment on the Marine Bill.

The Committee for Agriculture and Rural Development received a briefing from a DARD official on the Bill at its meeting on 17th April 2012. At its meeting on 24th April 2012 it agreed the following response to be forwarded to Committee for the Environment. The evidence session with a DARD official was covered by the Official Report and will appear in due course on the Assembly website. This may be of interest to the Committee for the Environment.

1. The Committee agrees that the Marine Bill should provide a much needed framework for sustainable development of the marine environment. Fishing however, is a major economic activity which could be potentially impacted and displaced by the creation of Marine Plans and by Marine Conservation Zones (MCZ). There is particular concern around displacement of prawn fishing as bottom fishing would not be allowed in MCZs. The Committee note that DoE must consult with other Departments including DARD in the preparation of Marine Plans. The Committee believe that it is vital that the Bill allows for adequate, transparent and meaningful consultation with the fishing industry and that sufficient weight is given to that industry's needs and requirements.
2. The Committee note that there are multiple users of the marine environment, from fishing to renewable energy, to telecommunication cables, gas pipelines and areas with gas exploration licences etc. Ensuring that all are

adequately consulted and that the ownership, responsibilities, activities and functions of each are known and transparent will be a difficult task and should not be underestimated. The Committee is concerned that the Bill is at a high level and does not deal with the detail that will be required for implementation, given the multitude of users, activities and responsibilities. Perhaps the Bill should make it clear that detailed guidelines, to be agreed by all relevant public authorities, will be required. The Bill appears to be vague in this area and this could lead to difficulties and / or tensions between various users at a later date. Furthermore, the Committee ask that consideration be given to a Marine Management Organisation specifically around users responsibilities, activities and functions.

3. The Bill notes that DARD and other Departments must have regards to the advice and guidance issued by DoE. However, there is nothing in the Bill that will allow that DoE must have regard for any advice issued by DARD. Thus while DARD can, for example, present a case for the fishing industry, DoE could discard this. While recognising that there needs to be a lead department, the Committee is concerned around proper consideration being given by DoE to any advice and guidance provided by DARD.
4. Clause 22 allows DoE to give advice and guidance to public authorities in respect of MCZs who are required to have regard to this advice or guidance. However, there appears to be no penalty or sanction if a public authority covered by the Bill, ignore the advice and guidance. Given the ambiguous language of the Bill, this is a real possibility and the Committee believes that this aspect should be clarified.
5. The Committee are concerned that the Bill is not explicit about the need to create synergy and coherence between MCZ in Northern Ireland waters and those from other jurisdictions. The Irish Sea is managed by a number of administrations and developments should not be made in isolation. Failure to properly integrate plans from a variety of jurisdictions could lead to overly complicated MCZs and unnecessary disruption to the fishing industry.
6. The Committee did give some consideration to the issue of coastal flooding and erosion as well as the potential boundary of MCZs with farming land. It notes with concern that in certain parts of Northern Ireland, farmers are losing land due to coastal erosion and / or rising sea levels. Such land, once lost to the farmer, could in the future become part of a MCZ. The Committee

would welcome inclusion in the Bill to how such circumstances may be dealt with in the future.

7. Finally you may wish to note that individual Committee members did receive correspondence from shooting and conservation groups who are concerned that they are not being adequately consulted and that, as a result, their interests, are not being taken into account.