

**The Strangford Lough and Lecale Partnership Advisory Committee (SLLP – AC) welcomes the opportunity to submit comments to the Environment Committee on the proposed Northern Ireland Marine Bill.**

The SLLP has been informed by the responses of some of its member organisations including the Northern Ireland Environment Link and it shares that organisation’s general comments on the Marine Bill as follows:

The SLLP recommends that the proposed NI Marine Bill should have an overarching aim or general duty against which the provisions and actions taken under the Bill can be assessed of the Scottish Act where it is a requirement that Ministers and Public authorities: ...must act in the way best calculated to further the achievement of sustainable development... and ...must act in the way best calculated to mitigate and adapt to climate change...” We believe a similar requirement should be at the core of a NI Marine Bill.

The Bill should create a network of Marine Protected Areas that improves Northern Ireland inshore waters as well as contributing to the improvement of the wider UK Marine Area and should include a specific clause that enables the creation of highly protected Marine Conservation Zones.

It is important to integrate and synchronise the MCZ and MSP processes as planning for the future use of our seas should be informed by which areas need to be conserved.

**Specific comments:**

The Marine Task Force is a member of the SLLP – AC and they have prepared a response which has had the benefit of legal advice and which the SLLP wishes the Department to consider in full. Many SLLP members are generally supportive of the Marine Task Force’s views and queries but the Northern Ireland Fish Producer’s Organisation are vehemently opposed to its recommendations with respect to governance. The SLLP recommends that the proposed NI Marine Bill should make provision for a review of marine management structures in that there is need for better cohesion and integration in dealing with marine matters. The Royal Yachting Association also have specific issues and views which will differ from that of the Marine Task Force and their views will be contained within their individual response.

The SLLP recommends that in view of the particularly diverse, fragile and often unseen ecosystems and their scientific and technical complexity that all bodies and persons have the right of third party appeal. If it is considered that allowing individual persons’ right of third party appeal could produce spurious or unreasonably large numbers of appeals, the right could be limited to valid organisations.

The concept of permission to manage research or demonstration areas, take part in wildfowling and other recreational activities is inadequately covered. There needs to be a specific simple permit system with appropriate conditions.

Sections 20 and 21 relate to public bodies decisions concerning acts affecting MCZs. There is very general reference to decisions affecting MCZs. This area of concern needs to be given greater guidance with respect to the potential of terrestrial developments and planning and other decisions to impact a neighbouring MCZ. Continuity of effect from terrestrial to marine should be acknowledged and the MCZ protected.

Para 32 (1) (e) and 32 (2) potentially constitute a contravention of the right to anchor in an emergency, leaving the person responsible, however remotely, for the emergency with no defence.

Para 32 (4) (b) should be reworded – substitute ‘foreseen’ for ‘avoided’. This would require a higher degree of defence.

Para 36 (7) mentions ‘member State’. There is no indication of what this means.

The definition of seashore in Para 39 is open to interpretation – what is ‘ordinary movement of the tide’? Most references to shore levels are described with reference to MSL as in 1 (2) (a). All definitions should be in one place.

The reference in Schedule 2 to a tribunal is vague and suggests that convening such a body would be a rare event. We suggest that this will be frequent enough to require a permanent Appeals Commission properly constituted and appropriately trained.

Ards Borough Council  
National Trust  
Royal Yachting Association  
Association of Strangford Lough Yacht Clubs  
Centre for Maritime Archaeology  
Down District Council  
Ulster Farmers' Union  
East Down Rural Community Network – Community & Regeneration  
NI Fed of Sub-Aqua Clubs  
Northern Ireland Agricultural Producers' Association  
Northern Ireland Environment Link  
Historic Monuments Council  
Joint Council of Wildfowlers  
Marine Task Force  
Northern Ireland Fish Producers Organisations  
Queen's University  
Sports Council for Northern Ireland  
Strangford Lough Fishermen's Association  
Strangford Lough Tourism Destination Management Forum  
Ulster Farmers' Union  
Wildfowl and Wetlands Trust

