

Dear Mr McCann,

**RE: RESPONSE TO MARINE BILL**

The NI Marine Bill is important legislation which will assist Northern Ireland in contributing to the legally binding requirements of the European Marine Strategy Framework Directive (MSFD) and the OSPAR Commission and is welcomed by Carrickfergus Borough Council. To achieve the MSFD and OSPAR outcomes the NI Marine Bill must be effective legislation, with adequate legal power, good management by Government, adequate expertise, financial capacity and enforcement powers to ensure that human activity can occur sustainably without compromising good environmental status. While it is encouraging progress that marine legislation is being considered, it is important that the bill is made as effective as possible. This Council concurs with many other organisations that have commented on this bill's progress to date and have some concerns that the bill in its current form has some weaknesses, and does not provide a framework for best practice in marine legislation. We have identified four particular areas of particular concern:

Firstly, the bill lacks an over-arching purpose, in contrast to other similar bills such as the Scottish Marine Act (2009). Scotland requires sustainable development of the marine area and consideration of climate change. The NI Marine Bill is being introduced to fulfil very specific goals and it would benefit following the Scottish example. The current lack of purpose could weaken the ability to provide cohesive and integrated legislation whose success can be monitored.

Secondly, currently the bill provides the legal framework for creating a network of marine protected areas to improve the UK Marine Area, rather than the local Northern Ireland Inshore region. This broad requirement could prove to be a weakness in the legislative power of achieving ecological coherence across local to regional (UK scales), as the other administrations are all working towards a network of sites at their local scale. Northern Ireland needs to create a network which improves the Northern Ireland inshore waters, and also contributes to the improvement of the wider UK Marine Area. Furthermore, the Scottish, English and Welsh administrations are all including highly protected areas as part of their network. If Northern Ireland included a specific clause for highly protected Marine Conservation Zones this would facilitate their legal status and the designation process.

Thirdly, there are indications that the Marine Spatial Planning (for strategic planning of our seas) process and the designation of the network of conservation zones are going to occur out of synchronisation with each other. Ideally, the Marine Conservation Zone process should occur as a nested part of the marine spatial planning process. Determining the future use of the seas should include concurrent determination of which areas should be conserved.

Lastly, the inter-departmental aspects of the bill including compliance of public authorities, and enforcement of byelaws for Marine Conservation Zone protection lead us to question whether the current marine governance structure is capable of effectively dealing with the practical implementation of the bill.

We believe that a NI Marine Management Organisation would be an effective mechanism for delivering the NI Marine Bill and achieving the aims of European Marine Strategy Framework Directive 'Good Environmental Status'.

Yours sincerely

*John McCormick*

John McCormick  
Director of Development Services

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