



Northern Ireland  
Assembly

**Committee for the Environment**

**OFFICIAL REPORT  
(Hansard)**

**Marine Bill: Departmental Briefing**

**1 March 2012**

# NORTHERN IRELAND ASSEMBLY

## Committee for the Environment

### Marine Bill: Departmental Briefing

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**Members present for all or part of the proceedings:**

Ms Anna Lo (Chairperson)  
Mr Simon Hamilton (Deputy Chairperson)  
Mr Cathal Boylan  
Mr Gregory Campbell  
Mr Willie Clarke  
Mr John Dallat  
Mr Danny Kinahan  
Mr Patsy McGlone  
Mr Francie Molloy  
Mr Peter Weir

**Witnesses:**

Mr Ken Bradley	Department of the Environment
Ms Brenda Cuning	Department of the Environment

**The Chairperson:** I welcome representatives of the Department of the Environment (DOE). We have Brenda Cuning from the planning policy division and Ken Bradley from the environmental policy division. You are very welcome. You can have five to 10 minutes to give us a briefing. This is a very long-awaited Bill, and we are very pleased to see it coming through now. Its Second Stage debate will be next week.

**Ms Brenda Cuning (Department of the Environment):** I thank the Committee for this opportunity to provide a briefing on the Marine Bill's policy principles. The Bill provides for three main issues: marine planning; further streamlining of marine licensing; and approved management of marine nature conservation. I am responsible for the first two, and Ken is responsible for the last one. I will not talk for very long, and, as we have provided a summary, I will just give you a very quick overview and highlight a few key points.

With the summary, we provided a little map of the total UK marine area so that we could show the Northern Ireland inshore region. It goes from the high water mark out 12 nautical miles and includes the offshore region. So, it is a very small area that goes from 12 nautical miles out to 40 nautical miles just south-west of the Isle of Man's territorial water. The Marine Bill covers the Northern Ireland inshore region; that is, from the high water mark out to 12 nautical miles. That is this Bill's remit.

Some of you will be familiar with the Marine and Coastal Access Act 2009. That is a UK Act, some parts of which apply to Northern Ireland, principally marine licensing in the Northern Ireland inshore area. The creation of the UK-wide marine policy statement sets out various policies from across the UK that are to do with sustainable development of the UK marine area. The Marine and Coastal Access Act created the DOE as the marine plan authority for the offshore area. This Bill will allow the Department to become the marine plan authority for the inshore area. It lets the Department create marine plans for all the inshore area or for parts of it. That is an important thing to look at.

A marine plan sets out information and policies on what is happening in the marine area. So, it will give us a way of managing what is happening there to enable us to take a forward look at things such as the impact of climate change and the compatibility of different activities so that we can achieve sustainable development in the marine area. It will create a framework for consistent decision-making, which is what we all want, and, as I said, it will help us to maximise the use of the marine area while protecting it to the best of our ability.

The Bill details the procedure for how the Department must draft, consult on and publish a marine plan. It also requires the publication of a statement of public participation. That is a key part of consultation on a draft plan. That is necessary to make sure that we engage with all those with an interest in the marine area, as well as with the wider public. The Bill also requires consultation with all the main Departments that have marine functions, such as the Department of Agriculture and Rural Development (DARD), the Department of Enterprise, Trade and Investment (DETI), the Department of Culture, Arts and Leisure (DCAL) and the Department for Regional Development (DRD). It also requires that two types of reports be laid before the Assembly: a three-year report on how a specific marine plan that is created is working; and a six-year report on marine planning in general, including information on how many plans have been created and plans to amend any of them.

The Bill also recognises that there is an overlap between marine planning and terrestrial planning, and it asks the Department to ensure compatibility between a marine plan and any development plans that are linked to it. It also recognises that other plans are relevant. So, for example, river basin-management plans, flood-management plans and a marine plan must have regard to such plans in adjoining or affected areas. Once a marine plan is in place, all authorisation or enforcement decisions that any public body takes must be made in accordance with that marine plan. Any other types of decisions must have regard to the marine plan. So, it sets the framework for decision-making going forward from the point of creation. That is marine planning in a nutshell.

The Bill also touches on marine licensing. As I said, marine licensing has been brought into the Northern Ireland inshore area through the Marine and Coastal Access Act, and a new system has been operating since April 2011. One clause in the Marine Bill basically allows us to streamline that system further. Where a consent is required under DETI generating licensing and marine licensing through DOE, that will help us to streamline so that we do not have duplication of those types of consents in the future.

**Mr Ken Bradley (Department of the Environment):** The Bill also sets out a new designation process for marine nature conservation. That is designed to protect nationally important species and habitats. The driver for that comes from the marine strategy framework directive, which requires good environmental status by 2020. The new designation process helps to meet that objective. Marine conservation zones (MCZs) tend to be very flexible in their boundary, level and timing of protection and in the number or diversity of species or habitat to be protected. It differs slightly from our previous designation in the marine environment under the habitats directive, which is purely for ecological purposes. Marine conservation zones also take account of socio-economic aspects or activities. The overall thrust of the Marine Bill is sustainable development, and this fits well in that overall ambience. So, that is really it.

**The Chairperson:** Thank you. I know that members have questions that they want to ask, so I will start. I will follow up on what Ken said about habitats. The Department told us previously about the problems that we might have from the EU on the wild birds directive, and it said that, if we introduced a Marine Bill, it might help us to avoid infraction cases. How will the Bill address that?

**Mr K Bradley:** We designated what we call special protection areas for European birds under the wild birds directive, which is fine. However, we were not taking their ecosystem and feeding areas into account, so the Marine Bill will help to protect sea birds' feeding grounds.

**Mr Weir:** Thank you for your presentation. I want to touch on three areas. You mentioned consultation with other Departments. Could you say a little more about how you intend to ensure that you and DARD are singing from the same hymn sheet? We have seen recent examples of DOE and DARD not being in step, and that has caused major problems.

Secondly, you talked about broader marine planning and said that any actions have to "have regard to" marine plans. How will those actions be enforced? Finally, what are the resource implications of the various changes that are to be made?

**Ms Cunning:** You are right; DARD is obviously one of the key Departments with which we will consult. That is why the Bill states that we have to consult with DARD and the other three Departments with marine responsibilities. At the moment, we have quite good working relationships with DARD through the interdepartmental marine co-ordination group (IMCG). We have been operating that group for about a year and a half or two years to try to pull together all the policy leads, as well as some operational capacity, from the different Departments.

As you pointed out, there have been issues about DARD and DOE working together, but the situation is much better than it had been previously, and there is much more of a join-up between the two Departments. I think that there has been a lot more singing from the same hymn sheet of late. Obviously, the two Departments have very different marine policies, but that is why the process of marine planning is important. It pulls those policies together to try to create a synergy that will identify areas of compatibility and difficulty. Through the process of developing the marine plan together, we can work through those difficulties.

Ultimately, the marine plan has to be agreed by the whole Executive so that all the Departments are signed up to it. That leads on to what you were saying about ensuring that actions are taken in accordance with the marine plan. One would hope that, if a Department, through the Executive, has signed up to a marine plan, it will carry out the responsibilities in that plan.

**Mr Weir:** I know, and that is grand, but, quite often, the decisions may be taken at a lower level, particularly by arm's-length bodies. How does enforcement happen in such instances, and how do you ensure that compatible decisions are made?

**Ms Cunning:** A lot of arm's-length bodies have sponsor Departments, so it is the Department's role in such instances to communicate well with that body, if it has one. Communication will play a big part in this project, partly through a development plan but also through an implementation audit.

Implementing a plan is perhaps the wrong way to describe it. The plan sets out the strategy for what we are trying to achieve in the marine area. There will still be consenting regimes underneath that; for example, marine licensing through DOE and generating consents through DETI. It will be up to each Department or licensing authority to carry out their responsibilities in accordance with the plan or to tell the marine planning authority why it cannot do that. That is the feedback mechanism. The Bill states that reasons have to be given when objectives cannot be achieved. That is the method of communication on that.

Could you repeat your third point, about resources?

**Mr Weir:** It is clear that a considerable amount of work will have to be done on this. It will lead to a step change in the way that conservation is done. From past experience, some members of the Committee have found that, although very good legislation has been passed, there have been question marks over implementation and the levels of resourcing that have been put in place for the issue in question. What sort of analysis has been done of the additional impact of the resources that will be required to ensure that this is properly implemented?

**Ms Cunning:** The good news, in some way, is that we have started preliminary work on marine planning, for example. There is the nucleus of a marine planning team in DOE, and it has started preparatory work. It is looking at the cost of developing the marine plan over the next three to four years, and it has bid for resources for that work. As I said, the team has already been set up to take that forward. That is very much part of the DOE budget. The situation for marine conservation zones is similar.

**Mr K Bradley:** It is similar. Based on our previous experience of the European habitats directive, we are looking at existing sites. We are using the monitoring and surveillance data that were gained from that to see where MCZs can be, in and around existing European sites. Work on the nature and conservation element is going on in tandem.

Your point about the next steps is very relevant, because the more marine conservation zones there are, the more monitoring and resources will be needed. Furthermore, the Department also has, for the first time, an enforcement role in the marine environment. We have to address that as well.

**Mr Weir:** Is there any ballpark figure for this? I am a bit concerned. I think that most of us take the view that this is a sensible way forward; we are going to be examining legislation going through the House. We want to buy this shiny new product, but, unless we have a price tag for it, some knowledge of what the implications will be and what resources are required to make it work, I do not think that it is particularly fair to ask people to support it.

**Ms Cunning:** Assurances have been given that it will be up to DOE to cost the marine plan team and to make sure that the resources are in place.

**Mr Weir:** I understand that, but I think that the Department should be able to give a ballpark figure of how much will be required to implement a piece of legislation. Will it be £200,000, £2 million or £20 million, for instance? We need to get some handle on what the cost will be. That is irrespective of whether it is this piece of legislation or any other. I do not think that it is good policy to simply think, "We will find the resources." So, I urge caution. I do not want you to pluck a figure out of the air today. I suggest that, when we come to the debate next week, which is when we will start to put the legislation in place, it would be important for the House to realise what level of implementation we need to commit to make the Bill work. There is no point trying to do something on the cheap at a later stage. Neither do we want somebody complaining that they did not think it was going to cost this much. I think that cost needs to be tied in when we come to the stage of making the legislation. I will leave it at that, Chair.

**The Chairperson:** Given that there is no mention of the marine management organisation (MMO) in the Bill, will the marine work fall to the Northern Ireland Environment Agency (NIEA)?

**Mr K Bradley:** I want to pick up on Mr Weir's point about resources. A marine team in the NIEA is looking at the European sites to designate. That designation process is coming to an end. We designated two sites last year, and we will be putting them forward to the commission. There will possibly be one more designation to finish the obligation under the habitats directive on the marine environment. That team will move naturally on to the marine conservation zones, which will be the national designation process. So, there could be a seamless move from the European commitment to the national commitment. There is no additional cost to that, although there will be additional costs with the increased monitoring that is associated with the designation of more sites and, for the first time, an enforcement role. So, there are some synergies.

**The Chairperson:** You mentioned the interdepartmental marine group. Will it continue to exist, almost in place of the MMO?

**Ms Cunning:** It will continue in existence, definitely. There is a wide range of marine issues ongoing, from not only our Department but others. It has been very useful for that group to have been able to bring things to other Departments; it is a good forum for that.

You asked how we are taking forward the work under the Bill without the MMO. The marine plan team that is now set up is in the strategic planning division; it was in the planning policy division. It has been set up under John Linden. The MCZ work will be carried out by the natural heritage part of NIEA. Joe Breen, who you will be familiar with, is involved in that work. So, it will be carried out entirely in the DOE. However, we will obviously use the interdepartmental marine co-ordination group to help consult on the proposals that we are bringing forward. We are already starting to do that with the marine plan.

**Mr K Bradley:** That is right. The NIEA is looking at its internal structures to see whether it can get better integration between the natural heritage side and the water management side so that resources can be used better there.

**Mr Kinahan:** I am afraid that I have quite a few queries, so I will rattle through them. First, as I understand it, this is something that we have to do. So, it is driven by Europe rather than something that we want to do. Secondly, as the Chair touched mentioned, who will lead and drive this? At the moment, I am hearing that we have the interdepartmental group — I cannot remember its title. Is it the above the Departments, and will it drive them? At the moment, we can see two Departments — possibly others — and there is no lead with strength and power. How will we resolve that?

Brenda, you touched on different policies in DARD. I am very keen to know what those different policies are. I rather feel that, with the debate coming up next week, we need to know quite urgently what they are, because if there are very differing matters, that goes back to the main point about there being a whole mass of conflicts building up and that all that that will do is clog up the process of getting the Bill through instead of resolving the issues. So, we need to know about those as soon as we can.

I noted that the Bill has the seawater as the driving element, but how do the loughs, such as Foyle and Carlingford, as well as the rivers link to it? Lough Neagh is a freshwater lough, but they all have a role to play. Where do they come into that? How are we pulling together the mass of different stakeholders? The group of stakeholders, whether it is the environment sector, fishermen or anglers, can get bigger and bigger the more that we look at habitats and wildlife and all the conflicting things.

We then reach the budgetary elements. There will be a limited budget, yet the more we find out about species and how they interlink, the more it seems that that could become a bottomless pit. How are we resolving that, and how will we run those stakeholders together?

Lastly, can we get EU funding for this, particularly those elements that run through the habitats and protect the wildlife, given that they are driving what we are doing at the beginning? I have sort of gone in a loop, which brings me back to my first point that we have to do this rather than want to do it.

**Ms Cunning:** The "must do it" element refers more to the MCZ, because, due to the marine strategy framework directive (MSFD), we have to have in place a coherent network of marine protected areas. Our point of view is that marine planning will help us to meet requirements under the MSFD. However, there is also a drive in Europe to possibly move towards a directive on marine planning as well. That is very much based on what the UK as a whole has been doing. So, if a directive comes out, we will actually be ahead of the game. That is in the future. Therefore, that is the European driver for it.

On the question of who will lead, the answer is that the DOE will take the lead, because it is our Bill. The Environment Minister is taking the lead. In fact, during the previous mandate, there were various marine issues to consider, such as the transposition of the marine strategy framework directive. At that stage, the other Ministers with responsibility for marine issues agreed that the Environment Minister would lead in taking those forward through the Executive. As I said, all those things have to be agreed through the Executive anyway. That is how we see it being driven forward on a Northern Ireland basis.

I perhaps misspoke about the different policies in DARD. I meant that it has different priorities for the marine area. DARD is about promoting sustainable fisheries. Some people see that as sometimes being at odds with perhaps what DOE wants or even what DRD wants to do with shipping lanes, for example. There can be friction between those. That is what I meant by different policies between different Departments, and, as I say, marine planning is necessary to pull them all together to try to see how we can work this and get the most out of it.

You are quite right about the loughs and rivers. They obviously interconnect, which is why we often talk about source to sea. I mentioned the river-basin management plans, which is where the freshwater environment comes into it. The marine plan has to have regard to any river-basin management plan, not least because those plans extend out to one nautical mile, which means that they have a marine element. That is the connection between freshwater and marine. The Marine Bill's remit will extend up to the high watermark as far as estuarine or transitional waters and into the sea loughs as well. That is why we need the overlap between river-basin management plans and development plans. What happens on the land affects the sea, and vice versa.

How will we pull all the different stakeholders together? You are right; there is sometimes a vast number of stakeholders. In Northern Ireland, however, they are quite organised to some degree. There are fish producers organisations, which represent an awful lot of fishermen, and NGOs that represent different environmental stakeholders. The Marine Task Force is a very good umbrella group that brings together eight different NGOs. Sometimes we worry about missing people out, and I am more concerned about that than about having so many groups. We want to make sure that we do not miss anyone out. That will be a part of the statement of public participation; we will make sure that we have captured everyone, and we will establish the best way of engaging with them. It is not necessarily about getting everyone in one big room; perhaps there are other ways to engage with stakeholders and the wider public. So, we are looking at developing that.

I have to admit that EU funding is not really my area. I know that a recent project made bids for money for a regional group, but I am not sure what happened. I will find out about that for you.

**Mr K Bradley:** The Department has recently been successful, along with our counterparts in the South, in obtaining EU funding for a seabed multiview mapping and data gathering exercise covering the County Down and County Louth coast.

The Loughs Agency was mentioned. So that it can abide by the European commitments under the habitats and the birds directives, the Department works very well with the National Parks and Wildlife Service (NPWS) in the South at Carlingford and at Lough Foyle. That work will continue, and we do not see nature conservation being a problem. Members should bear in mind that we are repealing the legislation that designates Strangford lough as a marine nature reserve. By default, it will become the first marine conservation zone. As Brenda said, the setting of conservation zones will involve a wide range of stakeholders involved in Strangford lough, particularly DARD. Designation as a marine conservation zone is based purely on ecological considerations that must take account of other activities and businesses and so forth. We have started a process, and, with previous experiences of Strangford and elsewhere, we know that there is a willingness to engage.

**Mr W Clarke:** Thank you for your presentation. I agree with what Peter Weir said about the resources element and the amount of money that is going to be allocated to this project. The expertise that is going to be needed for marine planners and geologists, for example, will cost a considerable amount of money. Peter touched on that, and maybe we will get to it later.

You talked about the fishing sector, the renewable energy sector and the environmental NGOs. What discussions have you had with them up to this point? The Bill was delayed, because you wanted to get it right, and, obviously, a lot of preliminary work was done. How do the different sectors feel about the Bill? Do they feel positive that they can all work together? I am aware that the fishing sector and the renewable sector are holding meetings, particularly on the east coast in south Down, where I live. They are co-operating and are having discussions. I am interested in how that is rolling out and how you feel that relationship is working out.

Where does the Crown Estate fit in to the plan? There are some issues about what will be in the Bill. Will it deal with coastal erosion, climate change, which you touched on, mineral rights, gravel and sand removal, and harbours and ports? Will it designate zones for those activities and address the expansion of harbours and ports?

**Ms Cunning:** In a word, yes. You asked whether they will be in the Bill. None of those things is written explicitly into the Bill, but a marine plan should address all those issues. You do not want to leave a sector out of a marine plan; if there were big gaps, planning would be pointless. That is the reason why there was engagement with the Departments that have policy remit for those areas and with the stakeholders who are carrying out those activities. So yes, it will include all those issues, and it needs to look at all of them.

As you said, that includes mineral extraction, for example. The actual licensing of such an activity is already covered by marine licensing, but, if any of our areas are designated suitable for that, they would be considered as part of the plan. So, all the activities in the marine area have to be considered in the plan.

**Mr W Clarke:** That is why I am talking about experts such as geologists.

**Ms Cunning:** Absolutely.

I would not presume to tell you how the various stakeholders feel about the Marine Bill. I know that the Committee will engage with stakeholders, and I think that they will find that useful. When we were looking at the Marine Bill, one of the first things that the Minister wanted to do was talk to stakeholders. We have had three meetings with a group of mixed stakeholders to get their views both on the Bill and on wider marine issues. That is something that we try to do on different issues. We had a lot of engagement with stakeholders on marine licensing when we were developing that. There have been a lot of discussions and a lot of meetings with stakeholders on the Bill, particularly over the past seven months.

You asked how the Crown Estate fits in. The Crown Estate was established under the Crown Estate Act 1971. I am not sure about that date, but I can give you the exact details on that later. That Act established the remit of the Crown Estate. The Marine Bill does not touch on that — it does not touch on issues beyond what we are trying to achieve in the marine area. The Crown Estate is a leasing agent for the seabed. It is part of the consultation process on the Marine Bill, and it will be one of the key components in how we take forward a marine plan. It will be engaged in that process.

**Mr W Clarke:** It has a vested interest, because it obviously wants as much revenue as possible returned to it.

**Mr K Bradley:** That is right, and we must bear in mind that, under the Northern Ireland Act 1998, the seabed is not a devolved matter. Fishing is the only part of it that is devolved. So, from a nature, conservation or DOE point of view, it is a reserved matter.

**Mr W Clarke:** It has not been devolved yet.

**Mr K Bradley:** That is right.

**Ms Cunning:** It is worth noting that, although the Crown Estate is the leasing agent for the seabed, no activities can take place there without appropriate consent from the Northern Ireland Departments. So, if someone got a lease to build a renewable energy project, for example, they could not do it without a marine licence or a generating consent from DETI. That shows the relationship between different consenting as well.

**Mr K Bradley:** You mentioned coastal erosion. That is a strange one in Northern Ireland, because we do not have shoreline management plans, which they do in GB. We have what is known as the Bateman formula, which basically sets out that the body or person who owns the affected land fixes the problem. That applies whether it is a Department or a private individual. No Department or body has overall responsibility for ensuring that the coast is protected from erosion. The Rivers Agency does a wee bit up round the Limavady direction. Apart from that, if a road is affected, for instance, it is down to Roads Service to fix the problem, or it is up to a private landowner if their field or house is being threatened.



**Mr W Clarke:** Obviously, coastal erosion needs to be included in the plan, because it will create different habitats. So, we need to look at it from that point of view.

**Mr K Bradley:** Correct. You also mentioned coastal access. It is not part of the Bill, because we feel that coastal access in Northern Ireland is pretty widespread. Some coasts are government owned, and bodies such as the National Trust own fairly large tracts along the likes of the north Antrim coast and Murlough in east Down, for instance. So, it is not the same problem here as it is across the water.

**Mr Boylan:** I apologise for missing the start of your presentation. I am glad to see that coastal erosion has not hit County Armagh yet. I think that we need to look at the Crown Estate. Willie touched on it, but I think we need to look at the 1971 Act. I was concerned about what Mr Kinahan said about there being a must-do element to this. I know that there are European directives, but I think that we should be doing something achievable and realistic and that we should monitor it on our own as opposed to going down the route of having something enforced on us. It has to be realistic. Given that, am I correct in saying that the marine planning functions will be controlled centrally?

**Ms Cunning:** Yes.

**Mr Boylan:** How, then, do you propose to work with local authorities to make sure that they integrate and liaise and play a proper part? Previously, we have just introduced legislation and then handed it over, and we have found difficulties with that. We want to be right from the start this time.

There is some concern about other legislation, particularly the wild birds directive. How does this Bill address concerns about the implementation of that directive?

**Mr K Bradley:** I will start with the wild birds question first. You are absolutely right, Cathal. The wild birds directive requires all wild birds to be protected per se, and it is felt that, through the marine environment, the Marine Bill will do that. Designating marine conservation zones will also protect habitat for European wild birds, which does not happen at the minute. That is why we are at risk. That is part of the must-do element.

However, marine planning is must-do, can-do aspect, because, although a directive may be forcing us down the line, it really is a very good idea. So many activities go on in the marine environment that marine planning makes absolute sense. Twenty years ago, there was just fishing and a bit of conservation to worry about; now there is renewables, leisure and other things. I think that marine planning is a good idea, irrespective of whether we have to do it.

**Mr Boylan:** I agree; but it has to be manageable.

**Mr K Bradley:** Absolutely.

**Mr Boylan:** That is the point I am making. I am not disagreeing that we do not have to do it.

**Ms Cunning:** Local councils are part of the process, and they will need to be considered along with all consultees in the development of a marine plan. So, right from the get-go, they need to be included in the statement of public participation — or SPP, which is much easier to say. You are right; the marine plan team will need to work out how are they going to be engaged as part of the process of developing a plan, and it will also have to consider how we engage with them after the plan is in place.

We know we can engage with other Departments; we already have processes for that through the Executive and so on, but we need to consider how to bring the local councils on board as well. You are right; there are overlaps with their remit in areas. For example, some beaches are controlled by councils, so how does the management of those beaches fit in with the marine plan? That is part and parcel of the marine planning process. We think that the development plan will bring everybody on board and get everybody signed up to it. That is the ethos behind it.

**The Chairperson:** There will be conflict at some stage.

**Ms Cunning:** There could be, yes. There are conflicts at the moment, but, at least when we have the marine plan process, we will see what those conflicts are and try to get them out in the open and have them resolved.

**The Chairperson:** Who has the higher authority? *[Laughter.]*

**Mr Boylan:** When do you see the Bill coming into force? We have seen situations with previous Bills in this Assembly, so can we try to make sure that, when we bring the Bill in, it is ready to be enacted and implemented there and then?

**Mr K Bradley:** It will hopefully come into force in early 2013. You are quite right; we need to be ready to hit the ground running, particularly with the marine conservation zones, because we are repealing the marine nature reserve designation. As Brenda said, work on the marine plan is being done in tandem, and that is due to be in place by 2014.

**Mr McGlone:** Thanks very much; it is good to see you both. Your summary document states that you are going to consult with all Departments and that the marine plan will state their policies on the sustainable development of the marine area. Can you explain to me how that liaison or co-operation works with the other Departments? That would be pretty important, because they may just say tell you to go away and not annoy their heads. That has happened in the past, and we might not even have had some aspects of the Marine Bill but for the change of Ministry. Anyway, I do not expect you to comment on that.

Collaboration to the point of harmonisation, particularly with the rest of the island and the Dublin Government and the Department of the Environment there, is particularly relevant, given that we are an island. Could you give me some sort of elaboration on those matters, please?

**Ms Cunning:** As I say, we have been running the IMCG for at least two years now, and it has worked very well for consultation with Departments. Thankfully, nobody has told us to run on, because everyone is now seeing the drive from Europe for parts of what is in the Marine Bill. When formatting its offshore renewables strategic action plan, DETI, for example, was very engaged with other Departments as well. There is an awful lot more communication between Departments these days, and we will build on that. I reiterate that, ultimately, the Executive will sign off on a marine plan. It will agree a draft marine plan and the final draft plan. That will be our ultimate way of ensuring cross-departmental working.

You are absolutely right: liaison with the South is key, because the marine area moves and we are all part of the one thing. We have had meetings with officials in the South from the Department for Communities and Local Government (DCLG), and we are also planning to meet up with some officials in the Department — I can never remember the names, because they have reorganised them — that deals with fisheries and agriculture, because fisheries is separated from the environment there. Another meeting is planned for April. We liaise with them on an ad hoc basis on, for example, marine licensing issues, where there might be a trans-boundary effect, and it is built into the Bill that we have to give notification that we are going to create a marine plan. That kick-starts the process of consulting them in a very formal way, but we also do it informally.

**Mr K Bradley:** Our colleagues down South are also forming an ad hoc marine plan, and people such as John Linden, who Brenda mentioned, are liaising with them as well. So, there are synergies there.

**Mr Dallat:** I am sitting here half daydreaming. I am trying to put myself in the position of the salmon, or maybe even a crab.

**Mr Boylan:** That is more like it; that is a better description.

**Mr Dallat:** I would not be jumping out of the water about this, to be honest. I have been in this Assembly for the past 14 years, and is this not its golden opportunity to put some kind of watermark, if you like, on our interest in the environment? I have listened to you, Brenda, and you have tried to be positive, and I appreciate everything that you and Ken said. However, my goodness, the best news that I heard this morning was that the Departments are starting to talk to each other. Is that not

simply wonderful? That is gripping stuff, and it is something as important as a Marine Bill. We still do not know the cost or the timeline.

We are talking to our neighbours on the other side of the border on an ad hoc basis. I try to visualise us, and I see some country such as, for example, Slovenia that has just come into having a democratic system. My God, it is years ahead with its environment, and tourists are flocking there, because the place is clean, green and is just what people want. What I have here is a map of Britain and a wee blob beside it, which I take it is us. That is it. I know that it is not your job, Brenda, and this is probably a political move, so here is your opportunity to give us some advice. How will we make this the most important issue that this Assembly deals with in this mandate and give tourism, the environment and all the other things a leg up? After that, I do not mind whether I am the lobster or the crab.

**The Chairperson:** That is a big agenda for you, Brenda.

**Ms Cunning:** I am not sure where to start. You touched on cost and timeline. I did not fully address the point about the ballpark figures for the costs. There are figures for that, but I do not have them to hand. We can provide them, and they will come out during the process of taking forward the Bill. We have looked at it; we are not bringing this in without having any idea of how much it might cost to implement.

We hope to get the Bill enacted in 2013, have a marine plan by 2014 and meet the obligations under the marine strategy framework directive (MSFD). Obviously, the MSFD comes from an environmental perspective; that is a big driver. If we achieve the objectives for that and have good environmental status by 2020, and if we meet the objectives of the water framework directive, which includes part of the marine area, to have good environmental status by 2015, we are going a long way to, as you say, protecting our environment.

It is beyond my remit to talk about the way in which Northern Ireland plc can capitalise on that. However, I think that, if we are looking at what is going on in the marine area and if we are considering how we can maximise its use, and, at the same time, protect it, that can only be a good thing for the environment and the economy.

**Mr Dallat:** I will end on a positive note, Chairman. We have good officials who articulate exactly what I feel about this. If they get the political support and drive, we will get a Marine Bill that is fit for purpose.

**The Chairperson:** I think that that is all the questions. Thank you, Brenda and Ken. I am sure that we will see you again soon.

**Mr Boylan:** I have a final point to make. We have brought this up on a number of occasions, but we should be looking at a funding element for European directives. Do you understand me? We have talked about managing the marine as a European directive. There should be some type of resource to assist in that; it should not be all about ourselves trying to do it. We should be looking at that. That needs to be taken forward at all times.

**The Chairperson:** We should look at it well in advance; it should not hit us on the face.

**Mr K Bradley:** That is a good point. A directive comes out, and that focuses the Department's mind and that of the budget holders on where to allocate resources. Mr Dallat said that this is our opportunity, but we need to do it. In one way, a directive is good, because it focuses everyone's mind on why we have to do it. That gives us resources, and we can use that to our advantage.

**The Chairperson:** We will not do it if there is not a directive.

**Mr K Bradley:** That is right, and we can use it to draw down funds from the Department of Finance and Personnel (DFP), hopefully.

**The Chairperson:** Thank you very much.