Northern Ireland Assembly

Committee for Agriculture, Environment and Rural Affairs
Room 285
Parliament Buildings
Ballymiscaw
Stormont
Belfast BT4 3XX
Tel: +44 (0)28 9052 1799

From: James Gilsenan, Clerk to the Committee for Agriculture, Environment and Rural Affairs

Date: 28 October 2025

To: Peter Hall, Clerk to the Committee for Finance

Subject: AERA Committee Scrutiny of Clause 16 (Marine licensing) of the Administrative and Financial Provisions Bill

Dear Peter

At its meeting of 23 October, the AERA Committee agreed its response to the request from the Committee for Finance seeking scrutiny of Clause 16 (Marine licensing) in the Administrative and Financial Provisions Bill.

The Committee is content with both the text and the ambition of Clause 16 of the Administrative and Financial Provisions Bill.

The Committee's scrutiny of Clause 16 is summarised below:

Briefings from the Department of Agriculture, Environment and Rural Affairs

1. On 28 November 2024, the Committee was briefed on the Department's response to a public consultation seeking views on proposed fee increases from January 2025 and on policy proposals for inclusion in the Financial Provisions Bill.

2. The Committee was subsequently provided with a written briefing on relevant clauses being proposed for the Financial Provisions Bill on 27 March 2025 which it considered at the Committee meeting of 3 April 2025.

3. At the Committee Meeting on 9 October 2025 the Committee had an oral evidence session with officials from the Department's Marine and Fisheries Division providing the context for the marine licensing system and its purpose, including the types of activities that are regulated and require a licence.

4. Clause 16 would permit the Department to charge a reasonable fee (in line with Managing Public Money) for marine licensing services it currently provides without a fee - such as the provision of pre-application advice or other assistance, monitoring compliance with licence conditions, and the variation, suspension, revocation or transfer of a licence.

5. The Committee heard that an increase in interest in marine activities, such as large off shore wind projects, required to meet climate change objectives and to reduce greenhouse gas emissions has had an impact in the use of marine licensing services, in particular pre-application planning advice, and the current fees raised do not reflect the work undertaken.

6. There then followed a question and answer session on Clause 16 and the Committee heard that no new resources within DAERA will be required to implement clause 16. Officials also stated that charges to recover costs will potentially see a measurable improvement in the services provided, and also balance the books, by providing a revenue stream that will ensure that pre-application services can continue to be offered.

7. A query was raised regarding decommissioning of derelict structures as a result of the abandonment of a project in the license. Officials responded stating DAERA have been in discussion with the Department for the Economy and work is being done on this matter but as of yet no fees are linked to decommissioning.

8. A Member queried how *reasonable* fees might be determined and the possibility that fees could deter people from applying for the necessary licences. Officials responded stating DAERA considered current costs including staff resource cost and compared those with the equivalent fees that other marine licensing authorities applied including the equivalent regime in the Republic of Ireland.

Briefing from the Marine Taskforce (MTF)

9. Also on 9 October 2025, the Committee was given an overview of the work undertaken by the Northern Ireland Marine Task Force and the challenges it faces with marine licensing for certain projects in an oral evidence session.

10. There then followed a question and answer session where the Committee heard that although the MTF understands the need for the Department to recoup some its costs, exemptions should be given for marine nature restoration projects providing a positive environmental impact.

11. The Committee heard that their restoration projects may suffer, especially if an hourly charge will be introduced as opposed to a flat fee, as a larger portion of funding will have to go towards licensing rather that the project itself. There is a risk that works, including nature-based solutions, will be dropped from other developments as costs increase.

12. The Committee heard that Marine nature recovery and restoration should be recognised within the licensing system by developing a separate class of licences for marine recovery and restoration projects and the time taken to process marine licences should not prohibit participation in short-term funding cycles.

13. The Committee also noted that MTF recognise that marine licensing fees are necessary and understands the need for the Department to recoup some its costs, but should be reduced where there is a positive environmental impact. They pointed to exemptions in the Republic of Ireland, under the Maritime Area Usage (Licence Fees) Regulations 2023 and discussions in Scotland and England regarding exemptions for restoration projects.

14. A Member asked if Clause 16 would assist in the management of its projects, directly supporting DAERA policy objectives and wider environmental targets. In response, the Committee heard that Clause 16 will potentially provide flexibility for more streamlined licensing in order to allow its projects, which use short-term, annual funding to proceed in a timely manner. In addition if there are agreed frameworks, known strategies and pre-approvals, MTF can plan much more effectively the restoration work it carries out.

James Gilsenan

Committee Clerk