

UK AND NORTHERN IRELAND MARINE BILLS

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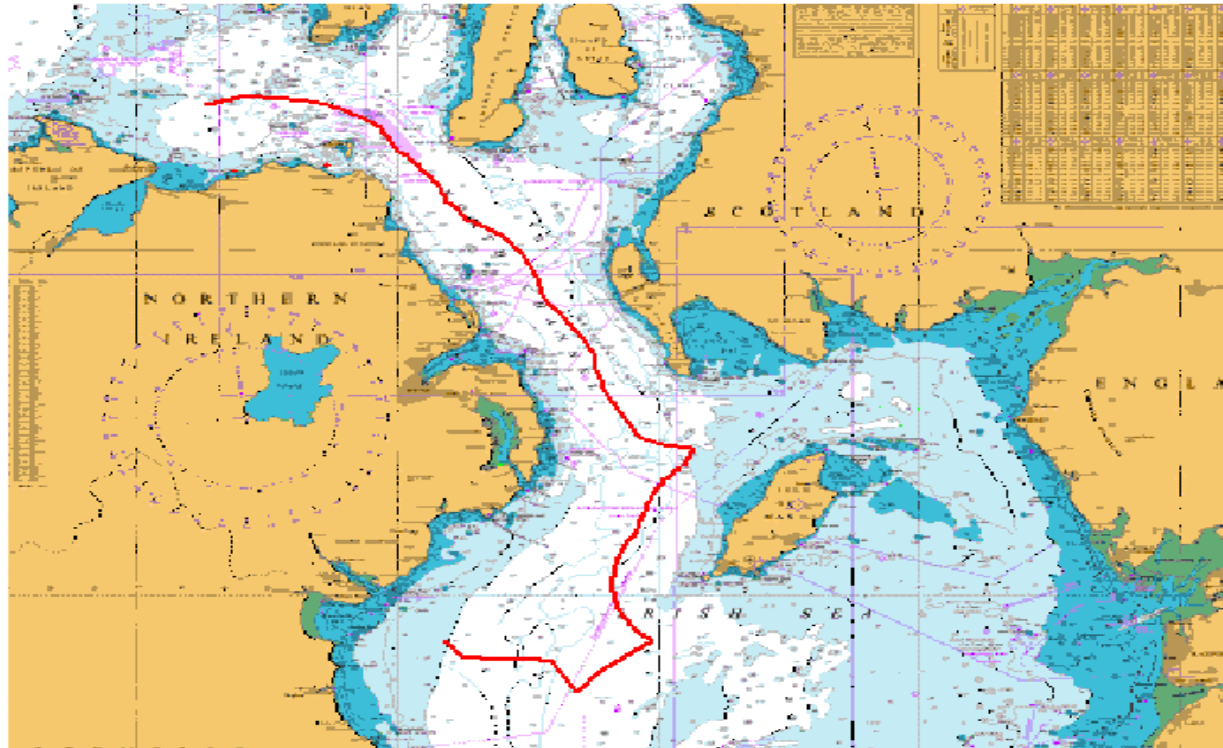
Department of the
Environment
www.doeni.gov.uk

Purpose of Presentation

- Provide clarification on how new marine legislation will be introduced in Northern Ireland
- Provide information on what is likely to be covered by the new legislation



Adjacent Waters Boundaries (Northern Ireland) Order 2002 - chart to show "the Northern Ireland Zone" as defined in Order - for information purposes only.



Why do we need new marine legislation?

- To balance competing interests
- To reconcile and integrate conservation goals with the full range of demands we place on the marine environment to meet our economic and social needs
- To help meet European obligations



Northern Ireland Approach

UK Marine and Coastal Access Bill

- Marine Policy Statement,
- marine planning in the offshore part of the Northern Ireland zone
- replacement of FEPA

Northern Ireland Assembly Bill

- marine planning in territorial waters
- further streamlined licensing
- improved marine nature conservation protection
- consideration of a delivery mechanism



UK Bill - Marine Planning Framework

- The creation of a UK wide marine policy statement, followed by
- A series of plans at regional level



UK Bill - Marine Licensing

- Aim - a more integrated licensing system for all marine activities which is more efficient and transparent, resulting in less risk, delay and cost to business
- Simplify the licensing processes within each sector
- Key reform in NI – replacement of Part 2 of the Food and Environment Protection Act 1985 (FEPA)



UK Bill - Enforcement of Marine Licences

- Suite of enforcement powers
- Notices - Compliance notices, Remediation notices, Stop notices
- Civil sanctions – Fixed and Variable penalties
- Formal Appeals mechanism – Water Appeals Commission



NI Marine Bill – Marine Planning

- Provide the power to plan for territorial waters
- Set out the principles by which we intend to undertake marine planning



Marine Planning - Principles

- Comprehensive
- Informed
- Inclusive
- Flexible
- Integrated
- Statutory



NI Marine Bill – Streamlined licensing

- Simplification of sectoral regimes
 - Marine Renewables
 - Harbour Developments
 - Carbon Capture and Storage
 - Gas Storage
- Planning Reform – emerging proposals



NI Marine Bill - Marine Nature Conservation

- **Protection** – to ensure vulnerable species, habitats or geological features outside the scope of the Habitats/Birds Directives are safeguarded
- **Marine Conservation Zones** – known as (MCZs)
- **Flexibility** – in terms of site boundary, level of protection and timescales (i.e.seasonal)



MCZ Process

- Site Selection – based on best available scientific evidence and to take account of socio/economic aspects as well as conservation objectives
- Full consultation
- Designated by Order through SOS – sets out conservation objectives = level of protection



MCZ - PROTECTION MEASURES

- General offence for a person who intentionally undertakes any action which is detrimental to the habitat or feature of a MCZ
- Incurs a fine which is largely dependent on level of financial benefit which the offender has accrued in undertaking the activity (UK Bill has maximum fine of £50k)



MCZ - OTHER PROTECTION MEASURES

- Duty on public bodies to adhere to the conservation objectives of the site when undertaking (usually licensed) activities
- Bye-laws, including fixed penalties, for regulating non-licensed activities
(UK Bill has fines up to £5,000 (level 5))
- Stop Notices to stop immediately potentially detrimental activity



Delivery mechanism

- NI Marine Management Organisation
- “Virtual” integration
- Marine Directorate



Timescales and Next Steps

UK Bill ----> NI

- Royal Assent - 2009
- Marine licensing – October 2010
- MPS – 2011

Plan for offshore zone --->

NI Bill

- Consultation on policy proposals
April 2010
- Legislation in place – 2012

←Plan for territorial waters

