

A REPORT BY THE DEPARTMENT OF THE ENVIRONMENT ON THE MARINE PLAN PROCESS IN NORTHERN IRELAND

Background

1. The Marine and Coastal Access Act 2009 and the Marine Act (Northern Ireland) 2013 require the Department of the Environment, as the Northern Ireland Marine Plan Authority, to prepare and adopt marine plans that would manage the Northern Ireland marine area and contribute to its sustainable development.
2. The composition of the Northern Ireland marine area, as defined by section 2 of the Marine Act (Northern Ireland) 2013 and section 322 of the Marine and Coastal Access Act 2009, means that legislatively there will be two marine plans in Northern Ireland - that is, one for its inshore region (out to 12 nautical miles) and another for its offshore region (an area beyond 12 nautical miles).
3. However, for administrative and practical purposes, the intention is that these two marine plans will be combined into a single document to establish a “single” marine plan for Northern Ireland.

Reporting Requirement

4. It is a legislative requirement of the Marine and Coastal Access Act 2009 (section 61) that insofar as Northern Ireland’s offshore region is concerned:
“(10) Each marine plan authority must from time to time prepare and lay before the appropriate legislature a report which –
(a) identifies any marine plans which the authority has prepared and adopted;
(b) describes any intentions the authority may have for the amendment of any marine plans which it has prepared and adopted;
(c) describes any intentions the authority may have for the preparation and adoption of any further marine plans.
(11) The first report prepared under subsection (10) by each marine plan authority must be laid before the appropriate legislature before the expiration of the period of 6 years beginning with the date of the passing of this Act.”

5. As the Marine and Coastal Access Act 2009 came into operation on 12 November 2009, this means that the Department of the Environment is statutorily required to lay a first report in the Northern Ireland Assembly not later than **12 November 2015** in relation to the Northern Ireland offshore region.
6. In addition, there are corresponding provisions in section 9 of the Marine Act (Northern Ireland) 2013, which require the Department of the Environment to lay a first report in the Northern Ireland Assembly not later than **18 September 2019** in relation to the Northern Ireland inshore region.
7. However, as the intention is to have a “single” marine plan in Northern Ireland for administrative and practical purposes, the Department of the Environment considers it would also be sensible at this time to present a single report that covers all of the Northern Ireland marine area – that is, both the inshore and offshore regions. This has the additional advantage of consolidating the otherwise two six-yearly dates for subsequent reports.
8. Therefore, on that basis, the Department of the Environment’s first six-yearly report on the marine plan process in the Northern Ireland marine area is as follows:

REPORT

9. The Department of the Environment, as the Marine Plan Authority, is preparing a marine plan for Northern Ireland. The key milestones that have been completed to date are:
 - formal notice of intention to prepare a marine plan to the Secretary of State, other adjoining Administrations and other Executive Ministers with marine responsibilities – 11 February 2012;
 - formal notice of intention to prepare a marine plan to district councils and the Environment Committee – 30 March 2012;
 - key stakeholder engagement:
 - extensive series of stakeholder events throughout 2012, including schools and the wider public in coastal areas, sectoral meetings and meeting with non-governmental organisations
 - Department of the Environment Marine Division stakeholder event – 7 November 2013
 - Sustainability Appraisal Scoping Workshop – 6 May 2014

- ongoing engagement with NI and UK departments with responsibilities in the Northern Ireland marine area to ensure their respective responsibilities are accurately reflected
 - ongoing co-operation with authorities which share our regional seas;
- Statement of Public Participation – 28 June 2012, and revised in December 2014;
 - award of Sustainability Appraisal contract – 8 October 2012;
 - draft Marine Plan Vision and Objectives circulated to Executive Ministers – 10 September 2013; and
 - draft marine plan sent to consultant for Sustainability Appraisal assessment – 7 September 2015.
10. On receipt of a successful outcome from the Sustainability Appraisal report, the intention is that the draft marine plan for Northern Ireland, together with the Sustainability Appraisal, will be issued for public consultation, subject to Northern Ireland Executive and Secretary of State for the Environment approvals (as the draft marine plan will consider matters that are not transferred to Northern Ireland).
 11. Following the formal approval process, the marine plan for Northern Ireland will be adopted once it is published by the Department of the Environment.
 12. As the Department of the Environment has not yet adopted a marine plan for Northern Ireland, the statutory requirement to describe any intentions to amend any prepared and adopted marine plan is not relevant at the time of this first report.
 13. The next six-yearly report will be laid before the Northern Ireland Assembly not later than October 2021.