

<b>Marine Conservation Zones (MCZ's) Public Consultation – Council Response to DOE</b>	<b>24<sup>th</sup> February 2016</b>
<b>PLANNING COMMITTEE</b>	

<b>Linkage to Council Strategy (2015-19)</b>	
<b>Strategic Theme</b>	Protecting and Enhancing Our Environments and Assets
<b>Outcome</b>	Pro-active decision making which protects the natural features, characteristics and integrity of the Borough
<b>Lead Officer</b>	Sharon Mulhern
<b>Cost: (If applicable)</b>	N/A

## **For Decision**

### **1.0 Background**

- 1.1 The Marine Act (Northern Ireland) 2013 and the UK Marine and Coastal Access Act 2009 contain new powers to designate Marine Conservation Zones (MCZs), in the Northern Ireland inshore and offshore regions respectively, as part of measures to manage and protect our seas for current and future generations.
- 1.2 Since that time, the Department of the Environment's (DOE) Marine Division has been developing potential sites for MCZ designation. These are based on sound scientific evidence and the involvement of stakeholders from all marine sectors including angling, fishing, renewable energy, ports and harbours, and environmental groups.

### **2.0 Detail**

- 2.1 Members were advised at the January Committee Meeting that the DOE had initiated a public consultation exercise on 14<sup>th</sup> December 2015 outlining its proposals for Marine Conservation Zones (MCZs) in the Northern Ireland *inshore region* (out to 12 nautical miles). Of the four sites proposed two lie within this Borough:

- **Rathlin** – Deep-sea bed, Black guillemot and Geological/geomorphological features (Submerged lagoons and Sea arches);
- **Waterfoot** – Subtidal (sublittoral) sand with subtidal seagrass beds (*Zosteramarina*);

2.2 A draft Regulatory Impact Assessment accompanies the Consultation document. It details an assessment of the Management Options for each MCZ, including a range of possible options and the preferred options for each of the two MCZ's.

2.3 As part of the site selection process DOE is seeking views on the proposals and in particular the following specific aspects;

- The pMCZ protected features.
- The pMCZ boundaries.
- The potential management options for each pMCZ.
- The Draft Regulatory Impact Assessment.

2.4 At the January meeting it was agreed that the Head of Planning would respond to DOE on behalf of Council. The assessment of the proposals is attached at Appendix 1 and Head of Planning response at Appendix 2.

2.5 The consultation exercise will close on 11<sup>th</sup> March 2016.

### **3.0 Financial Implications**

2.1 None.

### **3.0 Other Implications**

3.1 None.

### **4.0 Recommendation**

4.1 **IT IS RECOMMENDED** that Elected Members note the content of the assessment at Appendix 1 and agree to the Head of Planning's response on behalf of Council (attached at Appendix 2).

## Appendix 1:

### Proposed Marine Conservation Zones

#### Proposed Marine Conservation Zones at:

- Rathlin Island
- Waterfoot



Seagrass bed at Waterfoot a proposed Marine Conservation Zone.

#### 1.0 Introduction

- 1.1 The Department of the Environment (DOE) has proposed four new Marine Conservation Zones (MCZs) two of which lie offshore from the Causeway Coast and Glens Borough Council Area. Each proposed MCZ has particular features for which the designation is proposed. A MCZ is a Marine Nature Reserve in waters around the UK coast. MCZs have been identified through the Marine Conservation Zone Project. Sites are selected to protect not just the rare and threatened, but the range of marine wildlife found in UK waters.
- 1.2 They are designated under the Marine and Coastal Access Act (2009), and the Marine Act (Northern Ireland) 2013 (enacted in September 2013) makes provisions for MCZs in Northern Irish territorial waters. Strangford Lough has been designated as Northern Ireland's first Marine Conservation Zone. There are four proposed Marine Conservation Zones in Northern Ireland;
  - Rathlin Island;
  - the mouth of Belfast Lough;
  - part of Red Bay at Waterfoot; and
  - a section of Carlingford Lough.
- 1.3 MCZs protect a range of nationally important marine wildlife, habitats, geology and geomorphology, and can be designated anywhere in offshore waters.

## 2.0 Summary of Site Features/ Species

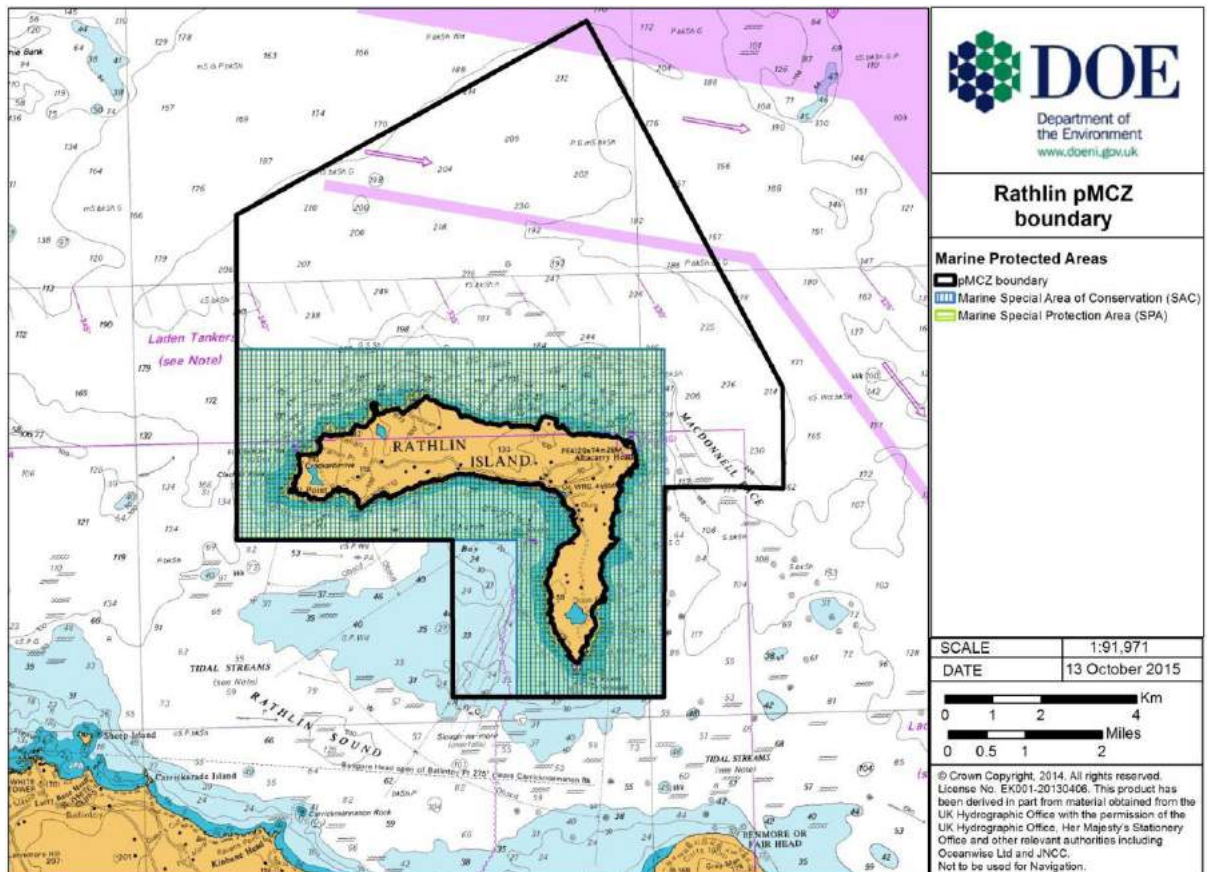
2.1 The boundaries for the two Proposed MCZs in the Borough are located:

- in the coastal waters around Rathlin Island, and
- the seabed just off the coastline from the village of Waterfoot within the wider Redbay area.

### Rathlin Island

2.2 The proposed MCZ for Rathlin Island overlaps the existing Marine Special Protection Area (SPA) and Special Area of Conservation (SAC) with a large extension to the north of the island and a smaller extended area to the south west of Church Bay. The Rathlin MCZ has been proposed for the following features:

- **Deep-sea bed**
- **The Black Guillemot**
- **Geological/geomorphological features indicating past change in relative sea level (Submerged lagoons and sea arches)**



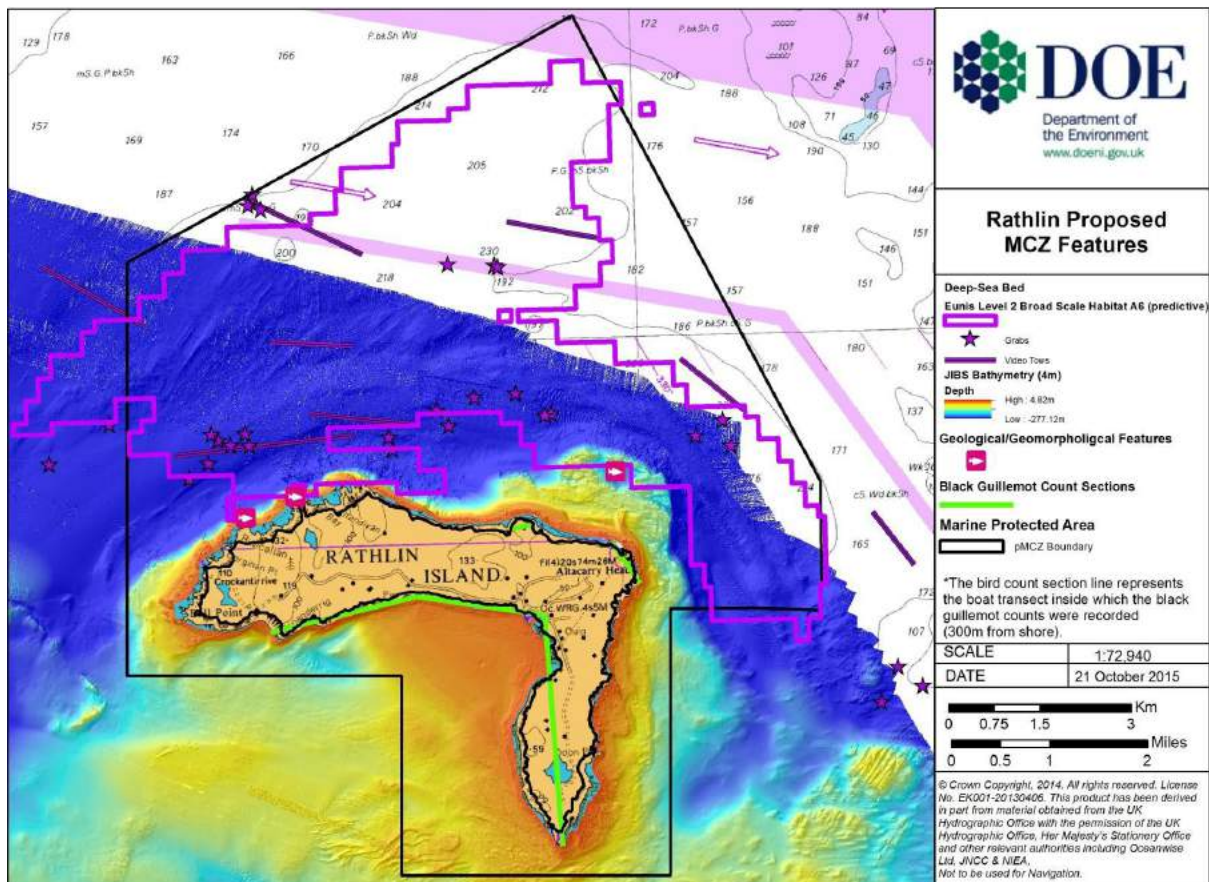
The boundary for the proposed Marine Conservation Zone for Rathlin Island is shown by Black Line. The existing Marine Special Area of Conservation (SAC) and Marine Special Protection Area (SPA) are denoted by the shaded area around Rathlin Island.

- 2.3 A large area to the north of Rathlin Island has been incorporated into the proposed MCZ as the location of an area of Deep-sea bed greater than 200 metres. The steep drop off in depth is unique within Northern Ireland's inshore waters, being so close to land with subtidal sands, mixed sediments and rock. This area, with exposure to strong currents, is an ideal habitat for deep sea sponge communities or deep sea cold water coral reefs. There are no known reefs in Northern Ireland's waters presently and survey work in the area to the north of the Island may locate this feature. Deep-sea bed is also associated with the Common Skate which, despite its name, is critically endangered and a protected species. Local fisherman have reported Common Skate being recaptured in this area. The DOE's conservation objectives are to maintain the favourable condition of the Deep-sea bed to the north of Rathlin.
- 2.4 Rathlin Island holds a significant breeding population of the Black Guillemot (See image below) between Church Bay and Bull Island. The sea bird species favours rocky coastlines for nesting sites and resting, and feeds on small fish and animals which it catches by diving to the seabed. On the Island, the Black Guillemot has experienced a population decline (from 212 adults surveyed in 2000 to 129 adults surveyed in 2013). This is considered an unfavourable condition in conservation terms. It is therefore a conservation objective to restore the population of the species to a favourable condition and maintain the distribution of the species on the Island. Further field survey work aims to establish if population declines are a natural process or if favourable management measures are required for the species as part of the MCZ designation.

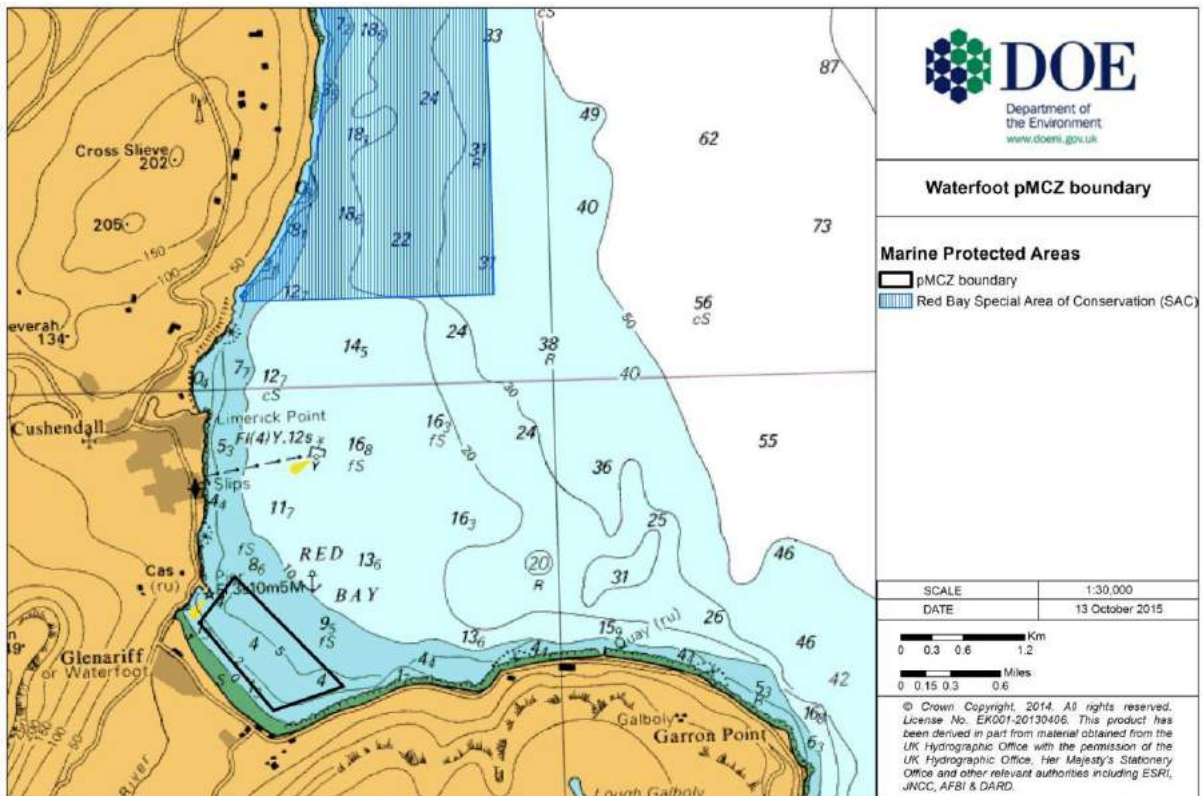


Black Guillemot numbers have declined on Rathlin Island. Management measures may restore the population to a favourable condition.

2.5 The Marine Act (Northern Ireland) 2013 allows MCZs to be designated for geological and geomorphological features (geodiversity features). During 2008 acoustic data revealed seabed features indicating sea level change with the retreat of the last ice sheet 20 000 years ago. The sea bed to the north east of Rathlin has lagoons, submerged cliffs, gullies and arches along the north shore, which are important indicators of landscapes for pre historic people and their access to marine and land based resources. The DOE considered that these geodiversity features are significant elements which merit protection as part of the MCZ designation process. The features are in favourable condition and the conservation objectives aim to maintain this.



Map showing the distribution of the Proposed MCZ features at Rathlin



The boundary for the proposed Marine Conservation Zone for Waterfoot shown by the Black Line. The existing Red Bay Special area of Conservation (SAC) is denoted by the area shaded blue to the north.

## Waterfoot

2.6 Waterfoot proposed MCZ is located in the Bay just offshore from the village of Waterfoot (see image above). The seabed in this proposed MCZ is mostly sand and gravelly sandy sediments. Waterfoot has been proposed as a MCZ for the following habitat feature:

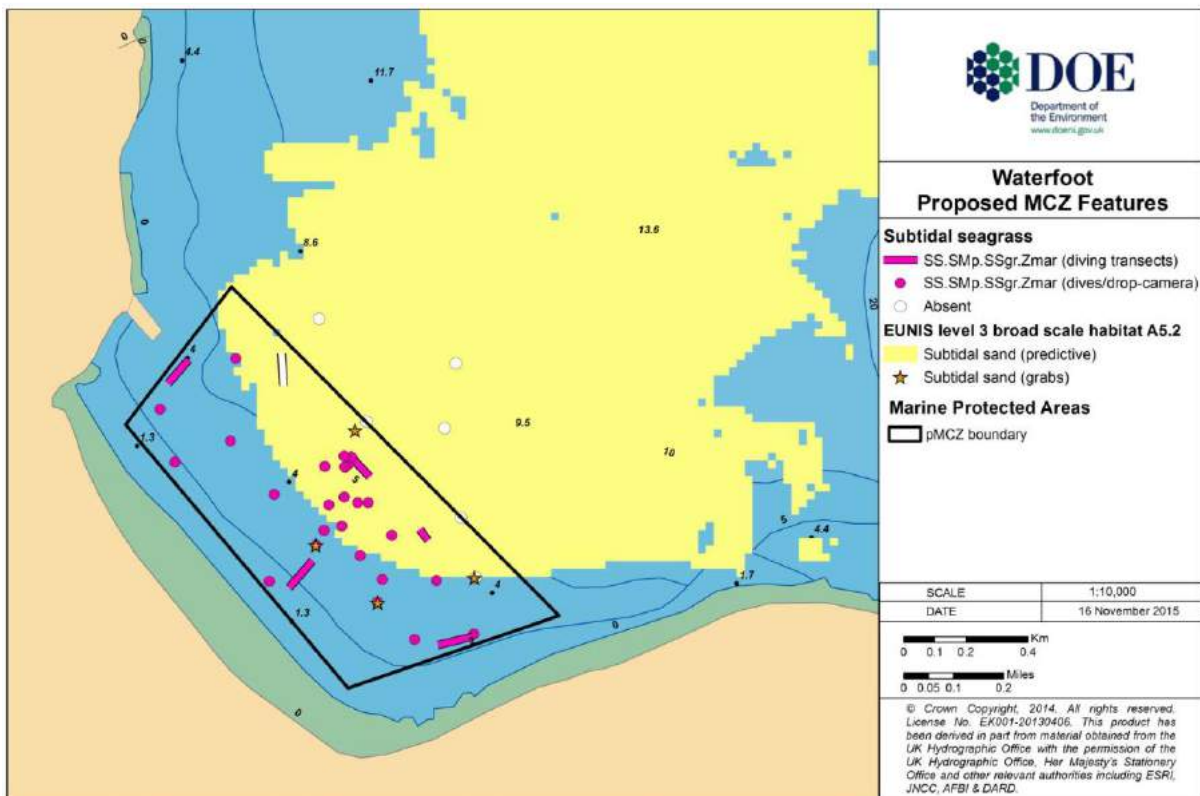
- **Subtidal (sublittoral) sand with subtidal seagrass beds (*Zostera marina*).**

2.7 The proposed MCZ habitat consists of a shallow subtidal area of fine and gravelly sand with seagrass meadows. The Waterfoot seagrass bed is thought to be the largest subtidal example in Northern Ireland with associated biodiversity. There are Priority Marine Features (PMFs) in the area such as the Masked Crab, European Lobster and the Ocean Quahog. Seagrass beds are listed as Priority Habitat by the UK Biodiversity Action Plan (BAP) and the Northern Ireland Habitat Action Plan. Seagrass beds form ecosystems with ecological importance as they provide refuge for small marine organisms, nursery areas and feeding areas for fish species. Subtidal seagrass beds also help to reduce coastal erosion through stabilising the sediment, slowing circulation and reducing wave action. Seagrass is a carbon store and may play a role in counteracting climate change. The DOE's conservation

objective at the proposed Waterfoot MCZ is to maintain the feature in its existing favourable condition.



Diver surveying the Seagrass beds. This habitat supports nurseries for fish species and can stabilise the seabed helping to reduce coastal erosion.



Map showing the distribution of the Proposed MCZ features at Waterfoot



## 1.0 Planning Implications and Benefits of MCZs

- 3.1 The proposed Rathlin Island MCZ boundary extends to the mean high water mark and this may have implications for planning applications within this area where consultation with Northern Ireland Environment Agency (NIEA) would be required. However, this is already a requirement due to the existing designations on the Island including the Marine Special Area (SPA) and Special Area of Conservation (SAC). Most of the coastline of Rathlin Island is remote and it would be expected that planning application numbers in this area would be very low.
- 3.2 The boundary for the proposed Waterfoot MCZ is located offshore and does not extend to the coastline, therefore, no terrestrial planning applications will be received for this area. However, development proposals, such as marinas, may have a direct impact on this proposed MCZ and thus trigger a consultation with NIEA.
- 3.3 The DOE has identified the following activities which may have the potential to affect the features of the proposed MCZs;
- Aquaculture;
  - Fishing;
  - Potential energy production - tidal power/ oil and gas exploration;
  - Infrastructure such as marinas, coastal defence and land claim;
  - Discharges/ waste disposal – treatment works and outfalls;
  - Extraction – navigational dredging;
  - Marine traffic – moorings, boat anchorage;
  - Tourism and recreation; and
  - Scientific and archaeological activities.
- 3.4 Some of these activities fall outside the control of the Council's planning function whereas other proposals would require assessment through a planning application.
- 3.5 The proposed Rathlin Island MCZ adds to the existing designations around the Island, highlighting the underlying geography to the north and complementing the Island's draw for visitors by extending its reputation for the protection of its unique natural environment. There are clear benefits of conserving the seagrass bed at Waterfoot which provides a measure of coastal protection through the dissipation of wave energy before waves hit the coastline. The coastal area has a number of dwellings just above the shore line and the settlement of Waterfoot which is fairly low lying in relation to sea level. The seagrass bed provides an important natural role in defence against coastal erosion.

## **4.0 Conclusion**

- 4.1 The proposed MCZs will provide a measure to protect biodiversity and geodiversity features off some of the Borough's coastal waters. In terms of the whole area of sea around the Borough's coast, the proposed MCZs are only a small part of the wider seascape. Protecting these features may have economic benefits in terms of conserving species and habitats which attract visitors to the area, such as birdwatchers; sea anglers; and divers. The proposed Rathlin MCZ may also provide a suitable habitat for the critically endangered Common Skate.
- 4.2 Protecting the seagrass beds at Waterfoot has environmental benefits in terms of providing resistance to wave action and regulating coastal erosion and potential carbon storage. The seagrass bed provides a nursery for fish helping to sustain biodiversity and populations of species.
- 4.3 With the recent designation of MCZs around the coasts of other regions of the UK it is recommended that Council support the designation of the two proposed Marine Conservation Zones in the Borough's coastal waters.

To: [MarineDivision.Inforequests@doeni.gov.uk](mailto:MarineDivision.Inforequests@doeni.gov.uk)

Date: 24<sup>th</sup> February 2016

Tel: 028 7034 7137

Dear Sir/Madam,

**Re: Local Government response to Proposed Marine Conservation Zones (pMCZ's) - Public Consultation Document.**

Thank you for your letter dated 14<sup>th</sup> December 2015 seeking views on the proposed Marine Conservation Zones (MCZ's).

Two of the four MCZ's lie within the Causeway Coast and Glens Borough Council area; Rathlin and Waterfoot.

I will respond to the consultation document based on the four topics specified in the cover letter, as follows:

**1. The pMCZ protected features:**

Council agrees with the protection of the identified features of both MCZ's.

**2. The pMCZ boundaries:**

Council agrees with the proposed boundaries of both MCZ's.

**3. The potential management options for each pMCZ:**

Council agrees with the proposed management options of both MCZ's.

**4. The Draft Regulatory Impact Assessment (RIA):**

Council notes the content of the draft RIA in relation to both MCZ's.

Yours sincerely,

Mrs Denise Dickson  
Head of Planning