

Synopsis of Responses to DAERA Consultation

Proposals to Introduce Fixed Fees for Marine Environmental Impact Assessment (EIA) Services

Attributed to Mike Hartwe



Department of
**Agriculture, Environment
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department o'

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

Alternative Formats

On request, you can request a copy of this document in other formats, such as:

- Paper Copy
- Large Print
- Braille
- Other Languages

To get a copy of this document in another format contact:

Marine and Fisheries Division
Department of Agriculture, Environment and Rural Affairs
Clare House
303 Airport Road West
Belfast
BT3 9ED

E-mail: MarineLicensingFeesConsultation@daera-ni.gov.uk

The front cover image credit is attributed to Mike Hartwell.

Contents

1. Timing and duration of consultation.....	3
2. Introduction	3
3. Background	4
4. Consultation proposals	4
5. Number of respondents	4
6. Responses to the consultation questions	5
Question 1 – Do you agree with the proposed screening rate fee?	5
Question 2 – Do you agree with the proposed scoping fee for a renewable project?	6
Question 3 - Do you agree with the scoping fee for a non-renewable project?.....	7
Question 4 - Do you agree with the Department’s proposal that costs for specialist advice such as examinations or tests not available within the department should be passed directly to the applicant for payment?	9
Question 5 - The Section 75 Equality Screening concludes that the application of the proposed EIA fees is unlikely to have any impact on people in terms of their equality of opportunity, their rights as people with a disability or their human rights under the Human Rights Act 1998. Do you support this conclusion?	10
Question 6 - The Rural Needs Impact Assessment concludes that the application of the proposed EIA fees is unlikely to impact on people in rural areas. Do you support this conclusion?	11
7. Next steps	12

1. Timing and duration of consultation

The DAERA consultation on proposals to introduce fixed fees for marine environmental impact assessment (EIA) services commenced on the 5 June 2026 and closed on the 31 July 2026.

2. Introduction

DAERA is the Appropriate Licensing Authority for the Northern Ireland inshore region (0 to 12 nautical miles) as set out at section 113(6)(b) of the Marine and Coastal Access Act 2009.

The marine licensing function is discharged by the Marine Licensing Branch which sits within Marine and Fisheries Division, and forms part of the Department's Environment, Marine and Fisheries Group.

DAERA is also the Appropriate Authority under the [Marine Works \(EIA\) Regulations 2007, as amended](#). As such DAERA is required to reach a conclusion about the likely significant effects of certain projects on the environment. This is done by way of an Environmental Consent Decision which is made before DAERA can determine a marine licensing application under the Marine and Coastal Access Act 2009.

The types of projects for which an EIA is required are set out at Schedule A1 to the Regulations and are large infrastructure projects such as wastewater treatment plants and ports. An EIA may be required for projects which are set out a Schedule A2 to the Regulations. These include installations for the harnessing of wind power for energy production (wind farms), installations for hydroelectric energy, intensive fishfarms and marinas.

As the Appropriate Authority, DAERA may determine that an EIA is required if it concludes that the project in question is likely, because of its size, nature or location, to have significant effects on the environment. The determination is known as a **Screening Opinion** and is provided at the request of a developer.

Developers may also request **Scoping Opinions** as to the information to be provided in an environmental statement for an application for a marine licence.

3. Background

In 2024, DAERA consulted on proposals to amend marine licensing fees. A copy of that consultation, the summary of responses and related documents is available at:

<https://www.daera-ni.gov.uk/consultations/consultation-proposals-amend-marine-licensing-fees>

One of the proposals on which views were sought was the introduction of hourly fees for certain EIA services namely providing screening opinions, scoping opinions and assessment of certain monitoring requirements.

Responses to the proposal were mainly negative and concerns included that charging different hourly rates based on staff grade introduced uncertainty into the overall cost of obtaining a marine licence. As a result, DAERA did not proceed with the introduction of hourly charges for providing EIA services.

4. Consultation proposals

DAERA is conscious of the financial pressures faced by the Northern Ireland Executive and mindful of its responsibilities under Managing Public Money Northern Ireland. The Department has therefore reconsidered the need to recover the cost of providing EIA services.

To balance stakeholder concerns with the need to recover the cost of providing EIA services DAERA has developed fixed fees for screening and scoping opinions and proposes to charge the following fixed fees.

EIA Service	Project type	Fee
Screening Opinion	All	£600
Scoping Opinion	Renewable Energy projects	£35,259
	All other EIA projects	£16,472

5. Number of respondents

Ten responses to the consultation were received from:-

- 1 environmental Non-Governmental Organisation (Northern Ireland Marine Task Force)

- 6 Government Agencies and Bodies (Ireland – the Maritime Area Regulatory Authority); the Department for Infrastructure (Roads); the Maritime and Coastguard Agency, and the UK Government (Defra), Scottish Government, and the Welsh Government
- 1 Local Council
- 1 Industry Body (Renewable NI)
- 1 Northern Ireland Aquaculture Operator (Carlingford Mussels Ltd)

A number of respondents welcomed the opportunity to comment on the consultation.

The Maritime Area Regulatory Authority response noted that from an Irish perspective early engagement between developers and the regulator is an important element of effective project development. The response noted that continued engagement between marine regulators across these islands will assist in sharing good practice and promoting efficient, consistent approaches to marine consenting. The responses from the UK, Scottish and Welsh Governments were supportive and the Department for Infrastructure (Roads) provided a nil return.

6. Responses to the consultation questions

Question 1 – Do you agree with the proposed screening rate fee?	
The proposed rate is £600.	
Respondent	Comment
Northern Ireland Marine Task Force (ANON-5G6J-2P5H-U)	Yes , on the basis that screening opinions should in theory require less time. Requests clarification on which project band this will apply to, current understanding is that the screening fee would apply to all activities.
Renewable NI (ANON-3J2Y-6D5D-U)	Yes , rate is acceptable as it is in line with fees charged in other jurisdictions. Highlights that a high standard of service should be delivered by DAERA to include timely engagement with applicants, clear communication and efficient decision making within defined timescales.
Council (ANON-2T4B-6E4H-K)	Yes , rate is considered reasonable. States that a fixed rate is preferable to an hourly rate and is comparable to that used in other jurisdictions.
Summary:	

DAERA received three responses from stakeholders on the proposal to charge a £600 fee for providing a screening opinion all of which supported the proposal.

Department's Response: DAERA welcomes the support of stakeholders to the proposal to charge £600 for providing a screening opinion. Screening opinions are typically requested before a formal marine licence application is submitted and provides developers with an early indication of whether a project is subject to the Marine Works Regulations.

The fee of £600 would be charged to anyone who requests a screening opinion, something which is not mandatory. The fee would apply to all projects where a person is seeking advice on whether an Environmental Statement is required. The proposed fees are a small proportion of the overall cost associated with an EIA development.

Department's Position: DAERA will proceed with the introduction of a £600 screening fee as proposed in the consultation document.

Question 2 – Do you agree with the proposed scoping fee for a renewable project?

The proposed fee is £35,259.

Respondent	Comment
Northern Ireland Marine Task Force (ANON-5G6J-2P5H-U)	Yes , NIMTF supports DAERA recovering the costs of providing this service. NIMTF will work with DAERA and DfE to support the development of a Marine Recovery Fund Scheme for Northern Ireland.
Renewable NI (ANON-3J2Y-6D5D-U)	Yes , Renewable NI considers the proposed scoping fee to be acceptable in principle and understands the need for a well-resourced and well-funded marine licensing system. The response highlights that given the scale of the proposed fee, applicants will expect a high level of service from DAERA throughout the scoping process. The response states that the introduction of fees should be linked to high service standards, including regular and clear communication with applicants and an efficient process that delivers high-quality scoping opinions within pre-defined timescales.
Council (ANON-2T4B-6E4H-K)	Yes , the casework review demonstrated that renewable energy projects require more staff time, and the higher fee is warranted. Furthermore, the implications of climate change mean there are likely to be more renewables projects which are complex and require additional staff.

Summary:

DAERA received three responses from stakeholders on the proposal to charge a fee of £35,259 for providing a scoping opinion for renewable electricity projects all of which supported the proposal.

Department's Response: DAERA welcomes the support of stakeholders to the proposal to charge a fee of £35,259 for providing a scoping opinion for renewable electricity projects.

DAERA notes the comments made by Renewables NI that the introduction of the fee should be linked to high service standards and the need for regular and clear communication with applicants and an efficient process that delivers high-quality scoping opinions within pre-defined timescales.

DAERA is committed to delivering a high level of customer service. As part of a business improvement project DAERA has developed a digital Marine Licence Application System. The Marine Licensing Branch intends to achieve full migration to the new application system by 1 January 2027, after which all applications will be processed through the new platform. Guidance on the new system is available from <https://www.daera-ni.gov.uk/sites/default/files/2026-02/DAERA%20NI%20Marine%20Licensing%20Application%20System%20release%20information%20leaflet%202026.pdf>

Department's Position: DAERA will proceed with the introduction of a fee of £35,259 for providing scoping opinions for renewables projects as proposed in the consultation document.

Question 3 - Do you agree with the scoping fee for a non-renewable project?

The proposed fee is £16,472.

Respondent	Comment
Northern Ireland Marine Task Force (ANON-5G6J-2P5H-U)	No , the Northern Ireland Marine Task Force has concerns that this will increase the cost of licences for nature restoration projects which are in the public interest and help deliver DAERA's nature recovery responsibilities. The cost of a licence for a number of projects is cited for illustration purposes. NIMTF highlights that the costs of obtaining a marine licence cannot be covered by the Marine Environment and Fisheries Fund (MEEF). The response proposes an exemption to the requirement to pay marine licensing fees similar to that for planning and ASSI consents for projects which align with DAERA objectives and which are not for commercial gain. The response also raises concerns regarding the resourcing of the marine licensing system and suggests that consideration be given to introducing timeframes for the various stages of the marine licensing process. NIMTF also suggests that DAERA creates a 500 tonne fee bracket for maintenance dredging.
Council (ANON-2T4B-6E4H-K)	Yes , comments that £16,472 is reasonable and proportionate and that given the range of projects to which it will apply a standard fixed fee is most appropriate.
Aquaculture Operator	No , the respondent supports the principle that applicants should contribute to the costs incurred by DAERA in providing screening and scoping opinions but suggest that the proposed scoping fee of £16,472 for non-renewable projects appears substantial and may not reflect the scale, complexity or environmental risk associated with aquaculture developments.

	The response highlights the contribution made by aquaculture to sustainable food production, employment and economic activity in coastal communities and states that it is important that any new fee regime does not create unnecessary barriers to investment and growth within the sector. The responses encourage DAERA to consider: a separate fee category for aquaculture developments; a tiered charging structure based on project scale and environmental complexity; reduced fees for lower-risk projects, and clear guidance on when aquaculture developments may require screening or scoping opinions.
Summary: DAERA received three responses from stakeholders on the proposed introduction of a fee of £16,472 for providing scoping opinions for non-renewables projects. Two of the three responses were negative and highlighted some sector specific issues as the basis for their response which are addressed below. One response supported the proposal on the grounds that it appeared reasonable and was a fixed fee. Department's Response: DAERA wishes to advise that the cost of providing marine licensing services has been more than any income received from fees. DAERA recognises the important role that the E-NGOs play in furthering its nature restoration objectives. The Department accepts that the introduction of fees for providing scoping opinions could potentially increase the cost of obtaining a marine licence for a limited number of projects. Over the course of the past 6 years requests have been received for a total of 7 screening and 6 scoping opinions. The nature restoration projects which were referred to in Northern Ireland Marine Task Force response were not EIA projects. The introduction of fixed fees for screening and scoping opinions would not have impacted on the costs associated with obtaining a marine licence for these activities. Furthermore, scoping opinions are not mandatory, rather they are provided by DAERA at the request of the person/organisation undertaking the project. On the wider issue of creating an exemption to the requirement to pay marine licensing fees similar to that for planning and ASSI consents for projects which align with DAERA objectives and which are not for commercial gain, DAERA recognises that as nature restoration plans are developed there may be a need for future policy development work in this area. Staff within the Marine Licensing Team are working with colleagues across Marine and Fisheries Division to ensure that the licensing process for nature restoration projects is streamlined. DAERA plans to publish general processing timeframes to the marine licensing web page. These are to act as a guide and if an application exceeds these general timeframes it should not automatically be considered as 'overdue' as each case is unique with its own complexities and must be treated as such. DAERA plans to undertake a fundamental review of marine licensing fees in the context of additional charging powers to be delivered via the Administrative and Financial Provisions Bill, the issues of nature restoration licences and future band structures may be considered at this stage. DAERA is cognisant of the contribution made by aquaculture to sustainable food production, employment and economic activity in coastal communities and welcomes support for the principle that applicants should contribute to the costs incurred by DAERA in providing screening and scoping opinions.	

DAERA proposed the introduction of hourly rates for providing scoping opinions in [2024](#) which would have delivered a link between the scale, complexity and environmental risk posed by a project in terms of staff time spent preparing a scoping opinion. Responses to the proposal were mainly negative and concerns included that charging different hourly rates based on staff grade introduced uncertainty into the overall cost of obtaining a marine licence. As a result, DAERA did not proceed with the introduction of hourly charges for providing EIA services. DAERA accepts that aquaculture projects differ from major infrastructure projects. However, the duration of the licence and the possible cumulative effects of a project require in-depth and significant consideration.

The Marine Works (EIA) Regulations 2007 apply to the Welsh and English in-shore and off-shore regions, the Scottish off-shore region as well as Northern Ireland waters. It is important that the Regulations are applied in a consistent fashion geographically and across all sectors. Any Guidance would therefore need to be developed at a UK level.

Department's Position: After giving full consideration to the points raised by respondents, DAERA will proceed with the introduction of a fee of £16,472 for providing scoping opinions for non-renewables projects as proposed in the consultation document.

Question 4 - Do you agree with the Department's proposal that costs for specialist advice such as examinations or tests not available within the department should be passed directly to the applicant for payment?

Respondent	Comment
Northern Ireland Marine Task Force (ANON-5G6J-2P5H-U)	No , but would like to see a list of specialist advisors and where feasible would like seek quotes before specialist advisors are appointed.
Renewable NI (ANON-3J2Y-6D5D-U)	Yes , recognises that specialist advice can represent a significant cost to DAERA and considers it reasonable that external costs should be passed on to applicants. Highlights that there should be transparency and consistency in how such costs are calculated and incurred and that they should be minimised as much as possible. Where applicants are asked to cover these extra costs, DAERA should ensure transparency and strong levels of engagement with the applicant throughout the process. DAERA should seek to manage costs for specialist advice as efficiently as possible and ensure unnecessary costs are not incurred.
Council (ANON-2T4B-6E4H-K)	Yes , states that where an additional third party cost is incurred it is not unreasonable for it to be passed to the applicant. Assumes that this will not be commonplace and acknowledges that although an additional cost will be incurred, this advice will be necessary before a fully considered response can be provided and it is therefore in the applicant's best interests.

Summary:

DAERA received 3 responses from stakeholders on the proposal that costs for specialist advice such as examinations or tests not available within the department should be passed directly to the applicant for payment. Two of the responses supported the proposal on the basis that it was reasonable with one respondent highlighting that specialist advice was ultimately in the applicant's best interest. One response did not support the proposal.

Department's Response: DAERA recognises the need for transparency and financial prudence in instances where third party advice is required and will liaise closely with applicants. The process will be transparent with costs paid directly by the applicant to the organisation or individual who has performed the examinations or tests.

Department's Position: After giving full consideration to the points raised by respondents, DAERA will proceed with passing the costs for specialist advice such as examinations or tests not available within the department directly on to the applicant for payment. DAERA will ensure the commissioning of advice is transparent and that applicants are kept informed.

Question 5 - The Section 75 Equality Screening concludes that the application of the proposed EIA fees is unlikely to have any impact on people in terms of their equality of opportunity, their rights as people with a disability or their human rights under the Human Rights Act 1998. Do you support this conclusion?

Respondent	Comment
Northern Ireland Marine Task Force (ANON-5G6J-2P5H-U)	No , EIA fees may impact on projects removing actions which would improve environmental conditions for society which could have impacts on health and human rights as Marine Licences are currently only assessed on financial cost not social or environmental cost.
Council (ANON-2T4B-6E4H-K)	Yes , having reviewed the Section 75 Equality Screening there is no reason to disagree with the finding.

Summary:

DAERA received 2 responses from stakeholders on the conclusion of the Section 75 Equality Screening. One found no reason to disagree with the finding while the other disagreed on the basis that EIA fees may impact on projects by removing actions which would improve environmental conditions for society which could have impacts on health and human rights as Marine Licences are currently only assessed on financial cost not social or environmental cost.

Department's Response: DAERA does not accept that recouping the costs of EIA services could impact any of the rights established by the Human Rights Act 1998. The types of projects involved are large infrastructure projects. The projects which were referred to in Northern Ireland Marine Task Force response were not EIA projects. The introduction of fixed fees for screening and scoping opinions would not have impacted on the costs associated with obtaining a marine licence. Furthermore, DAERA would like to highlight that in accordance with section 69(1) of the Marine and Coastal Access Act 2009 when determining an application for a marine licence (including the terms on which it is to be granted and what conditions, if any, are to be attached to it), DAERA must have regard to (a) the need to protect the environment, (b) the need to protect human health, (c) the need to prevent interference with legitimate uses of the sea, and such other matters as the authority thinks relevant.

Department's Position: DAERA has given full consideration to the issues raised in the responses and has concluded that there is no need to amend the Section 75 Equality Screening.

Question 6 - The Rural Needs Impact Assessment concludes that the application of the proposed EIA fees is unlikely to impact on people in rural areas. Do you support this conclusion?

Respondent	Comment
Northern Ireland Marine Task Force (ANON-5G6J-2P5H-U)	No , increasing costs may lead to it being financially unviable to support smaller projects for communities in rural areas which will have an impact on quality of life and opportunities in those areas.
Council (ANON-2T4B-6E4H-K)	Yes , having reviewed the Rural Needs Impact Assessment there is no reason to disagree with the finding.

Summary:

DAERA received 2 responses from stakeholders on the conclusion of the Rural Needs Impact Assessment. One found no reason to disagree with the finding while the other disagreed on the basis increasing costs may lead to it being financially unviable to support smaller projects for communities in rural areas which will have an impact on quality of life and opportunities in those areas.

Department's Response: EIA is a legal framework to ensure that projects likely to have significant environmental effects undergo a structured assessment before approval. The types of projects to which the Marine Works (EIA) Regulations 2007 apply are large scale developments such as infrastructure projects. These are not smaller projects and as such the introduction of fees for EIA services, provided at the request of applicants, will not have an impact on quality of life and opportunities of people in rural.

Department's Position: DAERA has carefully considered the issues raised and has concluded that there is no need to amend the Rural Needs Impact Assessment.

7. Next steps

Following consideration of the comments received in connection with the consultation DAERA will take the following actions subject to the necessary approvals:-

1. Introduce fixed fees for screening and scoping opinions as set out in the consultation document. These balance stakeholder concerns expressed in 2024 with the need to recover the cost of providing EIA services and are:

EIA Service	Project type	Fee
Screening Opinion	All	£600
Scoping Opinion	Renewable Energy projects	£35,259
	All other EIA projects	£16,472

The fees will be published on the DAERA website <https://www.daera-ni.gov.uk/articles/marine-licensing> and will become effective on 1 November 2026.

For further information:

Marine Environmental Policy
Ground Floor : Clare House
303 Airport Road West
Belfast
BT3 9ED

Tel: 028 9056 9268

Email: MarinePolicyTeam@daera-ni.gov.uk



Department of
**Agriculture, Environment
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Depairtment o'

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

INVESTORS IN PEOPLE®
We invest in people Standard