

MAC Report	
Application for a Maritime Area Consent (MAC) under Section 76 of Maritime Area Planning Act 2021, as amended (the Act)	
Application Details	
MAC Applicant:	Laytown Race Committee Ltd
MAC Reference No:	MAC250004
Location:	Laytown Beach, Co. Meath
Date Application received:	9 June 2025
Proposed Maritime Usage:	Laytown Race Committee Ltd have made an application under Section 76 of the Maritime Area Planning Act 2021 (the Act) for a Maritime Area Consent (MAC no. MAC250004) to carry out horse racing on the beach at Laytown Strand, Corballis, Laytown, County Meath.
Recommendation:	To <b>approve</b> the <b>Granting</b> of the MAC sought with conditions attached.

Document Control		
Prepared by:	██████████ Senior Marine Advisor	17/07/2025
	██████████ MAC Manager	08/08/2025
Reviewed by:	██████████ Head of Maritime Usage License	27/08/2025
Approved by:	██████████ Head of Maritime Usage License	27/08/2025
Final Report Version 1:	██████████ MAC Manager	27/08/2025

## Contents

<b>1. Overview.....</b>	<b>3</b>
<b>2. Background.....</b>	<b>3</b>
<b>3. Proposed Maritime Usage .....</b>	<b>4</b>
<b>4. Site Visit.....</b>	<b>5</b>
<b>5. Review of Legislation &amp; Associated Consents .....</b>	<b>6</b>
5.1 Applicable Provisions of the Act.....	6
5.2 Existing Consents & Authorisations .....	6
5.3 Development Permission .....	7
5.4 Ownership.....	7
<b>6. Assessment.....</b>	<b>7</b>
6.1 Schedule 5 .....	7
6.2 Fit & Proper Person Assessment.....	12
6.2.1 Technical Capability Assessment (TCA) .....	17
6.3 Rehabilitation Schedule.....	18
<b>7. Proposed MAC Map (for Illustration purposes only) .....</b>	<b>20</b>
<b>8. Levy .....</b>	<b>21</b>
<b>9. Discussion.....</b>	<b>21</b>
a. Terms.....	21
b. Conditions and Reasons for Conditions.....	22
<b>10. Conclusion &amp; Recommendation .....</b>	<b>23</b>

## **1. Overview**

On 9 June 2025 Laytown Race Committee Ltd submitted a Maritime Area Consent (MAC) application to MARA under section 76 of the Maritime Area Planning Act 2021, as amended (the Act) to carry out horse racing on the beach at Laytown Strand, Corballis, Laytown, County Meath on 4 September 2025.

## **2. Background**

The Laytown races are an annual beach horse racing event which runs in September each year on Laytown Strand, Laytown, Co. Meath. The races adhere to the Rules of Racing, are licenced by the Irish Horseracing Regulatory Board (IHRB) and are funded by Horse Racing Ireland. The same rules that apply to the other 25 grass based flat racetracks in Ireland apply to Laytown. The event was previously granted a MAC by MARA in 2024 (MAC240022) and prior to this had been consented annually by a Section 3(3) Foreshore Licence.

### **3. Proposed Maritime Usage**

The applicant has stated in their application that, after the tide goes out on the morning of the races, a plastic rail will be erected on both sides of the last furlong and beyond the finish line. On the shore side of the finish, an enclosure will be created using crash barriers. This enclosure will be approximately 220 yards in length by 20 yards in width. From this enclosure to the start, a rope will be extended to prevent the public from going on to the track. Frontline Security Ltd will place stewards along this fence to ensure spectators do not cross onto the track. Experienced staff from Leopardstown, Fairyhouse, Punchestown, and Bellewstown erect the course.

With respect to the running of the races, the applicant states that races will be started from stalls. As is standard with all Horse Racing Ireland events, two ambulances will follow the races accompanied by an event doctor. A vet will also follow each race and there will be a Blue Cross ambulance in attendance (a horse ambulance service that attends all Irish racecourses and main events). On the day of the races the applicant has stated that no cars will be allowed to park on the beach and there will be no bookmakers, totes or food vans allowed on the beach.

Adjacent to the beach, the applicant proposes to utilise a three-acre enclosure at the finishing line end of the course where spectators watch the races. This area will facilitate multiple activities including horse box parking, horse saddling and washing, an IHRB vet to dope test the winners, a weigh-room where the riders change and weigh out for the races, an ambulance room for the public, bookmakers, tote, bars, food vans and toilets.

The applicant further states that, at the end of the day's racing before the high tide, all temporary infrastructure and equipment erected on the beach will be cleared away and the beach will be returned to its original state. A litter pick will be carried out across the entire beach area after the event.

It should be noted that only element of the event which will be situated within the maritime area is the racecourse itself, all other activities take place landward of the high-water mark and are therefore not considered/consented to under this MAC application.

The MAC area sought by the applicant is illustrated in Figure 1.

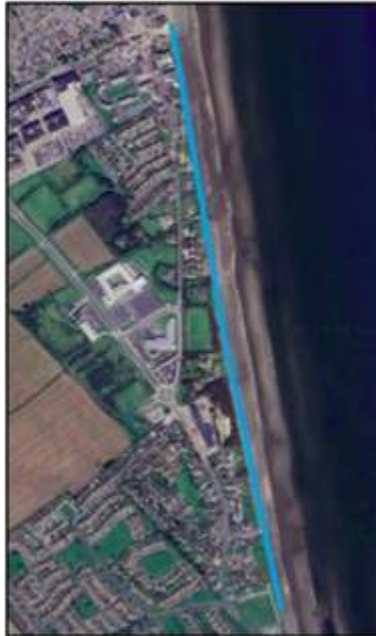


Figure 1 – Applicant map of approximate location of the racetrack at Laytown Strand, Co. Meath.

#### 4. Site Visit

Senior Marine Advisor, [REDACTED] inspected the site on 10/07/2024. The section of the beach on which the racing event takes place runs between Bettystown in the north to the finish area near the northern extent of the rock armour at Laytown. The beach in this area, within its intertidal zone, has a flat sandy expanse which is largely free of rocks or other obstructions. Photographs 1 and 2 below detail the character of the intertidal zone in the vicinity of the proposed MAC area. No existing infrastructure or occupation was noted within the proposed MAC area during the site visit.



Photograph 1 – Looking North from Proposed Finish End along Race Route [REDACTED] 10/07/2024]



Photograph 2 – Looking South towards Proposed Finish End [REDACTED] 10/07/2024]

## **5. Review of Legislation & Associated Consents**

### **5.1 Applicable Provisions of the Maritime Area Planning Act, 2021 as amended (the Act)**

Under the Act, MARA has responsibility for granting MACs.

Schedule 3 and Schedule 4 of the Act specifies maritime usages for which a MAC is not required, including where the proposed maritime usage falls under the remit of another enactment, is navigation or fishing, is a licensable activity under schedule 7 or where the activity is to be undertaken on private land. The proposed maritime usage is not considered to fall under those listed under Schedule 3 or 4 of the Act.

The applicant has stated that the proposed maritime usage, the subject of this application, does not require development permission. In accordance with Section 76 of the Act, a MAC is required for the occupation of that part of the maritime area for any such usage, where development permission is not required.

Accordingly, the subject of this application is considered to fall under section 76 of the Act.

### **5.2 Existing Consents & Authorisations**

There are no existing Marine Area Consents (MACs) or Maritime Usage Licences (MULs) overlapping the proposed MAC application area. This applicant previously held a MAC for the 2024 iteration of the event which has now expired.

There are no existing foreshore consents overlapping the proposed MAC application area. Laytown Race Committee Ltd have held historical foreshore licences for this event which have now expired.

Examination of the Marine Institute's Ireland's Marine Atlas database does not indicate any spatial overlap between the proposed MAC area and any DAFM licenced aquaculture sites.

There are no spatial conflicts with any existing consents or applications which should prevent the issuing of a MAC for this maritime usage.

### **5.3 Development Permission**

The applicant received a Section 5 Declaration from Meath County Council dated 13/08/2024 in relation to the 2024 event, stating that the proposed usage is exempt from requiring development consent.

The Irish Horseracing Regulatory Board (IHRB) is the regulatory body for the sport of horse racing in Ireland. The Laytown Race Committee Ltd have obtained a licence from the IHRB to hold the 2025 event under the Rules of Racing as published by the IHRB.

The applicant has obtained a letter of no objection from and An Garda Síochána relating to the 2025 event.

### **5.4 Ownership**

A search was undertaken of the Land Registry on 29 July 2025 for any document granting or affecting rights to land to ensure that there are no conflicts of interest with the MAC area being applied for as outlined in the proposed MAC Map.

No conflicts of interest affecting the proposed MAC area were identified.

## **6. Assessment**

### **6.1 Schedule 5**

The MAC application was submitted on 5 June 2025 with the appropriate fee waived on 9 June 2025 and reviewed for completeness on 11 June 2025. An incomplete application notification was issued on 11 June 2025; with supplementary documentation/information received on 9 July 2025 and 10 July 2025. The application was deemed complete by MARA on 14 July 2025.

Schedule 5 of the Act sets out the criteria to which MARA must have regard when assessing a MAC application. This report sets out the assessment undertaken pursuant to Section 5 of the Act. The assessment is summarised in Table 2 below.

**Table 1: Synopsis of the assessment of the application with regard to the requirements of Schedule 5**

<b>Schedule 5 Requirements</b>		<b>Synopsis</b>	<b>Assessment</b>
1.	The nature, scope and duration of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.	<p>The applicant has stated the following in relation to the event:</p> <p>When the tide goes out on the morning of the races the racetrack is set out. The racetrack will be approximately 1.5 km long and 10 - 12 metres wide and a plastic rail will be erected on both sides of the last furlong and beyond the finish. On the shore side of the finish, an enclosure will be created using crash barriers which are about 220 yards in length by 20 yards in width. From this enclosure to the start, a rope will be extended to prevent the public from going on to the track. All temporary racing infrastructure will be removed before high tide. The only element of the event which will be situated within the maritime area is the racecourse itself, all other activities take place landward of the high-water mark.</p>	<b>Satisfactory</b>
2.	Whether the proposed maritime usage is in the public interest.	<p>The races have been run at this location since 1868 with attendances typically exceeding 5,000 spectators for this one-day event. This generates significant tourism and income for the locality.</p> <p>The proposed maritime usage is considered satisfactory, having regard to the public interest.</p>	<b>Satisfactory</b>
3.	The location and spatial extent of the occupation of the maritime area concerned for the purposes of the proposed maritime usage.	<p>The proposed area required for the MAC is detailed in the MAC Map in Section 3 above. The section of the beach on which the racing event takes place runs between Bettystown in the north to the finish area just to the north of the termination of the rock armour at Laytown. The beach in this area in the intertidal zone has a flat sandy expanse, largely free of rocks or other obstructions. The total MAC area is 6.73Ha. The racecourse is c.1.5km in length, with a width of 10-12 metres.</p> <p>There are no spatial conflicts with any existing consents or applications which should prevent the issuing of a MAC for this maritime usage.</p>	<b>Satisfactory</b>
4.	Guidelines issued under Section 7 which are relevant to the proposed maritime usage.	No such guidelines have been published to date.	Not applicable



5.	Whether the applicant is a fit and proper person (within the meaning of Schedule 2) to be granted a MAC, both at the time the application is made and at the time that the MAC application concerned is determined by the MARA.	<p>A detailed review and assessment of the information provided by the applicant(s) has been completed. Based on the assessment set out in <i>Table 2</i> below, <i>Section 6.2.1</i> and the Financial Capability Assessment (FCA) as set out in the Ernest Young (EY) report dated 26 August 2025, it is considered that the applicant satisfies the fit and proper person requirements.</p> <p>As required by Schedule 6, Part 2 of the Act, it is a condition of all MACs that the Holder shall continue to be a fit and proper person within the meaning of Schedule 2 of the Act for the Term of the MAC</p>	<b>Satisfactory</b>
6.	Whether the applicant is tax compliant, both at the time the application is made and at the time that the MAC application concerned is determined by the MARA.	The applicant submitted Tax Registration Number and Tax Clearance Access Number (TCAN) which was used to view the applicant's tax clearance certificate. Based on the review of the tax clearance certificate, the applicant is considered tax compliant.	<b>Satisfactory</b>
7.	In the case of any maritime usage relating to offshore renewable energy (within the meaning of section 100), the consistency of the MAC application concerned with the development plans of the transmission system operator (within the meaning of section 100).	Not applicable	<b>Not Applicable</b>

8.	The National Marine Planning Framework (NMPF).	<p>Based on a review of the application, MARA has had regard to the National Marine Planning Framework (NMPF) and it is considered that the proposed project aligns with the overall objectives of the NMPF, including the economic and social objectives set out therein.</p> <p>It is considered that the proposed project aligns with the following economic, social and key sectoral policy objectives of the NMPF: -</p> <ul style="list-style-type: none"> <li>• Co-existence Policy 1 - Proposals should demonstrate that they have considered how to optimise the use of space, including through consideration of opportunities for coexistence and co-operation with other activities, enhancing other activities where appropriate.</li> <li>• Rural Coastal and Island Communities Policy 1 Proposals contributing to access, communications, energy self-sufficiency or sustainability of rural coastal and / or island communities should be supported. Proposals should ideally be inclusive of continual education, skills development and training in marine sectors, thus improving the sustainability, social benefits and economic resilience of rural and island communities.</li> <li>• Tourism Policy 1 Where appropriate, proposals enabling, promoting or facilitating sustainable tourism and recreation activities, particularly where this creates diversification or additional utilisation of related facilities beyond typical usage patterns, should be supported.</li> </ul> <p>In the application, the applicant states that the proposed project is consistent with the environmental objectives of the NMPF. Based on the above, MARA is satisfied that the proposed works align with the above overall objectives and policy objectives of the NMPF.</p>	<b>Satisfactory</b>
9.	The extent and nature of the preparatory work already undertaken by the applicant towards ensuring the efficacious undertaking of the proposed maritime usage the subject of the MAC application concerned should the applicant be granted a MAC in respect of such usage.	<p>The applicant has undertaken this activity since its incorporation in 1980. Laytown Race Committee Ltd. have obtained a Section 5 Declaration from Meath County Council stating that the event does not require development consent. Furthermore, the applicant has obtained letters of no objection from An Garda Síochána relating to the 2025 event. The IHRB has confirmed that the event will be run in accordance with Rules of Racing and the event is supported by HRI. The extent of preparatory works undertaken is therefore deemed acceptable for the proposed maritime usage.</p>	<b>Satisfactory</b>

10.	The extent and nature of stakeholder engagement undertaken by the applicant in respect of the proposed maritime usage.	<p>The applicant is a non-profit entity, and the racing events benefit local community stakeholders. The applicant has demonstrated engagement with Meath County Council and local Gardaí, who have no objection to the event taking place. The 2025 event has the support of HRI and IHRB.</p> <p>Having regard to the above, the extent and nature of the stakeholder engagement undertaken is therefore considered acceptable for a project of this scale and nature.</p>	<b>Satisfactory</b>
11.	Where a competitive process referred to in section 93 or 103 is used, the outcome of such process.	Not applicable	<b>Not applicable</b>
12.	Any additional criteria specified, for the purposes of this paragraph, in regulations made under section 80(2).	No such regulations have been made to date.	Not applicable

## **6.2 Fit & Proper Person Assessment**

Schedule 2(2) of the Act sets out the criteria to which MARA shall have regard in determining whether the relevant person(s) is/are “fit and proper” to be granted and to hold a MAC. The assessment of whether the holder is a fit and proper person within the meaning of Schedule 2(2) is set out in *Table 3* below.

**Table 2: Schedule 2(2) Fit & Proper Person**

<b>Fit &amp; Proper area for assessment</b>		<b>Synopsis</b>	<b>Assessment</b>
(a)	letters of reference;	The event is supported by Horse Racing Ireland (HRI) and the IHRB, who has endorsed the event organiser. Meath County Council and Gardaí at Laytown Garda Station have no objections to the event taking place.	<b>Satisfactory</b>
(b)	that the relevant person, or any other person concerned, stands convicted of—  (i) an indictable offence under this Act or an offence in another state equivalent to an indictable offence,  (ii) an indictable offence under an enactment prescribed for the purposes of this clause, or  (iii) an offence involving fraud or dishonesty;	As part of the FCA, EY assessed the Holder against these criteria and concluded that no information or details were identified which indicate that such offences or disqualifications apply.	<b>Satisfactory</b>

(c)	<p>if the relevant person is a body corporate, whether any of its directors has a declaration under section 819 of the Act of 2014 made against him or her or is deemed to be subject to such a declaration by virtue of Chapter 5 of Part 14 of that Act, or is subject to or deemed to be subject to—</p> <p>(i) a disqualification order, within the meaning of Chapter 4 of Part 14 of the Act of 2014, whether by virtue of that Chapter or any other provision of that Act, or</p> <p>(ii) a disqualification outside the State to like effect which corresponds to a disqualification order within the meaning of Chapter 4 of Part 14 of the Act of 2014;</p>	<p>As part of the FCA, EY assessed the Holder against these criteria and concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	<b>Satisfactory</b>
(d)	<p>if the relevant person is an individual, whether he or she is adjudicated bankrupt or is subject to proceedings for a declaration of bankruptcy or becomes an arranging debtor;</p>	<p>As part of the FCA, EY assessed the Holder against these criteria and concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	<b>Satisfactory</b>

(e)	<p>if the relevant person is a body corporate, whether it—</p> <p>(i) has commenced a voluntary winding-up or is subject to a winding-up order or is subject to proceedings for such an order,</p> <p>(ii) is subject to the appointment of a receiver or examiner, or</p> <p>(iii) has proposed a compromise or arrangement that is sanctioned under section 453(2) of the Act of 2014 or section 201(3) of the Act of 1963;</p>	<p>As part of the FCA, EY assessed the Holder against these criteria and concluded that no information or details were identified which indicate that such offences or disqualifications apply.</p>	<p><b>Satisfactory</b></p>
(f)	<p>if the relevant person is a body corporate incorporated under the law of another state—</p> <p>(i) whether an event which corresponds to an event referred to in clause (c) has occurred in relation to any of its directors, or</p> <p>(ii) whether an event which corresponds to an event referred to in clause (e) has occurred in relation to the body corporate;</p>	<p>Not Applicable</p>	<p><b>Not Applicable</b></p>

(g)	<p>whether the relevant person, or a person acting for or on behalf of the relevant person in the relevant person's capacity as such, has (or has access to), or continues to have (or have access to), as the case may be, the requisite technical knowledge or qualifications, or both, to undertake the proposed maritime usage, or continue to undertake the maritime usage, as the case may be;</p>	<p>Assessment of the technical capability Laytown Race Committee Ltd, to deliver the proposed maritime usage, the subject of the MAC application, is detailed in Section 6.2.1 below. The applicant is considered to have the requisite technical knowledge and qualifications to undertake the proposed maritime usage.</p>	<b>Satisfactory</b>
(h)	<p>whether the relevant person is likely to be in a position to meet, or continue to meet, as the case may be, any financial commitments or obligations that the MARA reasonably considers will be entered into or incurred by the relevant person—</p> <p>(i) in undertaking the proposed maritime usage, or in continuing to undertake the maritime usage, as the case may be, or</p> <p>(ii) in ceasing to undertake the proposed maritime usage or the maritime usage, as the case may be;</p>	<p>A FCA report 26 August 2025 has been prepared by external financial consultants, EY, who assessed the applicant's financial capability to carry out the proposed maritime usages. Based on the results from the financial capability tests and the information submitted, it is considered that the Relevant Person is viewed as passing the assessment.</p> <p>Due to the commercial sensitive nature of a company's finances, details of the assessment are not included herein.</p> <p>The applicant are considered likely to be in a position to meet financial commitments associated with the proposed maritime usage and MAC.</p>	<b>Satisfactory</b>
(i)	<p>the previous performance of the relevant person when granted—</p> <p>(i) a MAC,</p> <p>(ii) a development permission,</p> <p>(iii) a licence, or</p> <p>(iv) an authorisation (howsoever described) under the Act of 1933.</p>	<p>MARA has undertaken a review of MACs (including associated development permission under MARA's remit for enforcement), maritime usage licences and foreshore authorisations held by the applicant. Based on the review, MARA is not aware of any non-compliances with these consents, there are no enforcement actions pending and there are no outstanding debts owed.</p>	<b>Satisfactory</b>



### **6.2.1 Technical Capability Assessment (TCA)**

All information provided with this application in relation to Technical Competency relates to the applicant. The applicant has not engaged the services of an agent to assist with this application.

#### **Evidence of Qualifications/Membership of Professional Bodies and Experience in relation to Developments of a Similar Scale and Nature Appendix Tec A**

The land-based racecourse facilities have been in place for many decades and there will be no significant infrastructure construction or permanent alteration to the beach that would require the services of an engineer. As the maritime usage applied for is a horse racing event, Table (i) in Appendix Tec A is not relevant in this instance and is therefore not required to be completed by the applicant to demonstrate technical capability.

For non-schedule 10 maritime usages, the applicant is required to provide details of their involvement in three projects of a similar scale and nature to the project the subject of the MAC application. The applicant has successfully operated this event without issue for over 25 years, the provision of the details of three projects of a similar scale and nature is not deemed necessary for this usage. Since 1886, the races have been run at this location every year with a few exceptions.

In addition to having previously successfully operated this event under MAC authorisation from MARA and foreshore consent from DHLGH, the applicant has provided the following information in relation to running the event in 2025: -

- A statement that highly qualified staff will erect the temporary racecourse on the strand.
- A copy of the licence from the Irish Horseracing Regulatory Board granting permission to hold race meetings at Laytown Racecourse from 1 January 2025 to 31 December 2025.
- A Section 5 Declaration letter from Meath County Council, dated 13 August 2024 relating to the 2024 event, stating that the event does not constitute development and does not therefore require planning permission.
- A letter from An Garda Siochana, dated 5 May 2025, stating that they have no objection the 2025 races going ahead as planned.

The applicant has completed Appendix Tec A – Table (ii) and on the basis of the information provided, it is considered the applicant has met the criteria required in relation to previous project experience.

#### **Capability to Operate, Maintain and Rehabilitate the Maritime Infrastructure - Appendix Tec B**

Appendix Tec B requires applicants to provide a preliminary operational and maintenance statement which sets out in broad terms how the operation and maintenance of the proposed infrastructure will be managed over the term of the MAC.

As this proposed maritime usage does not relate to development – operation and maintenance is not relevant. The applicant has however stated how the racing events will be managed throughout their application. The applicant has stated that a temporary racecourse will be erected by qualified staff once the tide goes out in the morning. On the shore side of the finish, an enclosure is created using crash barriers and from this enclosure to the start of the race, a rope is extended to prevent the public from going on to the

track. The track is fenced off securely which will be monitored by Frontline Security staff and Gardaí. Prior to racing commencing the track will be inspected by the Clerk of the Course from the Irish Horseracing Regulatory Board. Laytown Racecourse is licensed under and subject to the rules of racing and/or Irish Horseracing Regulatory Board rules. The races will be started from stalls and two ambulances will follow each race and there will be a doctor in one of the ambulances. A vet will follow each race. A Blue Cross ambulance will also be on the beach and the only vehicles allowed on the beach are ambulances in the event of an accident. Terrestrial (i.e. not in the Maritime Area) racecourse facilities have been in place for many decades and temporary marquees will be set up to accommodate patrons on the day. There are permanent toilet facilities onsite. A three-acre enclosure above the finishing line will allow spectators to watch the races. Horse boxes will be parked in this field and horses will be saddled before the races and washed down when they have completed their race. The Irish Horseracing Regulatory Board will have a vet in the horse box area to dope test the winners. In the race field, there will be a weigh-room where the riders change and weigh out for the races. There will also be an ambulance room for the public. The bookmakers, tote, bars, food vans and toilets will be accommodated in the race field.

Immediately after the last race and before the tide comes in, the temporary racing infrastructure will be removed by horseracing staff. Planned maintenance activities will involve the removal of all litter on the beach racetrack and the reinstatement of the beach.

On the basis of the information provided, it is considered the applicant has the resources, experience and capability to organise this one-day event.

### **Assessment of Appendix Tec C - Delivery Timelines**

As this is a one-day racing event for a specified date the completion of Appendix Tec C is not required.

Following an assessment of the documentation provided by the applicant, MARA's Assessment, Research and Data Unit (ARD) considers that Laytown Race Committee Ltd have satisfied all relevant criteria under the Technical Capability Assessment element of the Fit and Proper Test.

Based on the outcome of the Technical Capability Assessment, MARA considers that Laytown Race Committee Ltd has the requisite competence to undertake the proposed maritime usage.

### **6.3 Rehabilitation Schedule**

Under section 96(1) of the Act, it is required that the holder of a MAC shall, before the expiration of the MAC, rehabilitate that part of the maritime area the subject of the MAC. As this application falls for submission under Section 76 of the Act, it is required that a rehabilitation schedule be attached to the MAC.

Section 96(4) of the Act specifies the particulars that should be included in a Rehabilitation Schedule that specify how the applicant will discharge their obligations under section 96(1).

The applicant in this instance has not submitted a Rehabilitation Schedule with their application. It is recommended that the following is appended to the MAC as the Rehabilitation Schedule.

### **Rehabilitation Schedule**

*As the proposed usage does not entail the installation of any infrastructure, it is considered that the applicable rehabilitation approach is Section 96(2)(f) - the removal of any deposited or waste material.*

*Specifically, the holder shall discharge their obligations under Section 96(1) by complying with the following:-*

- *The Holder shall remove all equipment and items relating the permitted maritime usage from the maritime area immediately after conclusion of the event in advance of the high tide.*
- *The holder shall provide adequate litter collection facilities. These facilities shall be removed immediately after the event to a suitably licensed waste disposal site.*
- *On completion of the permitted maritime usage, the Holder shall ensure that all parts of the maritime area, affected by the usage, have been restored to their original condition.*

*The costs of rehabilitation are deemed negligible and are deemed to be included in the overall costs associated with the management of the event.*

*It is not envisaged that any additional authorisations are required to discharge the holder's rehabilitation obligations.*

MARA considers the above Rehabilitation Schedule satisfactory having regard to section 96 of the Act.

### **6.4 Section 83 – Nature of Use**

Section 83(1) of the Act requires MARA in the granting of a MAC to specify whether the specific part of the maritime area the subject of that MAC is for exclusive use or not. Section 83(1) provides MARA discretion and flexibility to specify the nature of the use (i.e. exclusive, non-exclusive or may/may not be exclusive).

Having regard to the nature and lifecycle of the proposed maritime usage the subject of this application, it is reasonably foreseeable that Laytown Race Committee Ltd may be required to exclude access to parts of the MAC area on a temporary basis. In this instance, it is considered that granting of exclusive use for the full term of the MAC is not merited, particularly having regard to co-existence and co-operation objectives of the NMPF. It is considered that exclusive use should only be permitted where use on an exclusive basis is required and provided for under another authorisation or enactment. Accordingly, it is recommended that the MAC is granted on a “may or may not be exclusive” basis contingent on circumstances that may arise after the granting of the MAC” in accordance with Section 83(1)(c) of the Act.

## 7. Proposed MAC Map (for illustration purposes only)



Figure 2 – Proposed MAC Map

## 8. Levy

An annual MAC levy has been calculated based on the project type and proposed MAC area in accordance with MARA's MAC levy framework, as set out below.

<b>MAPA Levy Framework Part:</b>	<b>A: Nearshore</b>
<b>Category/Class:</b>	<i>Development (Non-Commercial)</i>
<b>Tier:</b>	Tier 3
<b>Applicable Rate:</b>	Base annual charge of €208.46 plus an add on of €0.39 per sq m for areas in excess of 100m
<b>Length or Area:</b>	6.73 Ha
<b>Calculation:</b>	$208.46 + ((67,300-100) * 0.39)/365 = 72.373$
<b>Levy due:</b>	208.46

As the MAC term is for one day only, the MAC Levy has been calculated on a pro-rata basis at €72.37; The MAC levy framework establishes a minimum charge of €208.46. Accordingly, the MAC Levy to apply is €208.46. All levies are indexed to the Harmonised Index of Consumer Prices (HICP), applied on an annual basis.

## 9. Discussion

Based on the assessments undertaken contained herein, it is considered that the proposed MAC application complies with all the necessary requirements of Schedule 5 of the Act, where relevant and appropriate, subject to the following recommended terms and conditions:

### a. Terms

<b>MAC Term:</b>	1 Day
<b>Consent Area:</b>	That part of the maritime area marked red on the MAC Map
<b>MAC Map Title:</b>	Maritime Area Consent Map MAC250004 Drg no: MAC250004-001
<b>Permitted Maritime Usage:</b>	Horse racing on the beach at Laytown, Co. Meath
<b>Nature of Usage:</b>	May or May Not be Exclusive
<b>Date by which application for Development Permission</b>	<b>Not Applicable</b>

<b>must be submitted (subject to Phasing Schedule where applicable):</b>	
<b>The minimum number of days in which the MAC Holder shall provide the Grantor advance notice in writing of the Holder's intention to commence the Permitted Maritime Usage.</b>	<b>Not Applicable – the MAC is for specified dates.</b>
<b>Date by which Financial Close is to be achieved:</b>	<b>Not applicable</b>

#### **b. Conditions and Reasons for Conditions**

Section 82 of the Act specifies that MARA may attach to a MAC one or more conditions which fall within the types of conditions specified in Part 1 of Schedule 6 of the Act. All conditions contained in Schedule 6; Part 2 are deemed to be attached to a MAC.

The standard suite of MARA conditions reflecting the contractual and statutory relationship that will exist with a grant of consent are also recommended. Reasons for these conditions are set out in the enclosed Section 81(7)(b) Minded to Notice.

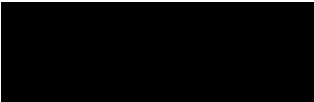
Following assessment of this MAC application, a number of additional specific conditions are recommended. These conditions were included in the 2024 MAC under sections 32 Sanction, 33 Safety and 34 Restoration. These conditions and reasons for conditions should be replicated in any MAC which may issue for the 2025 event.

It is considered that the application for a MAC **complies** with all the requirements of Part 4 of the Act, with particular regard to Schedule 5 criteria. Accordingly, it is recommended that the proposed MAC is **granted with conditions**.

## 10. Conclusion & Recommendation

Following a detailed assessment of all information on file, it is considered that the proposal complies with all the necessary requirements. Accordingly, it is recommended to issue a Section 81(7)(b) Minded to Notice, as enclosed, informing the applicant(s) that MARA is minded to **grant a Maritime Area Consent subject to the proposed conditions attached to the MAC**. It is recommended to allow the applicant(s) 21 days from the date of issue of the Minded to Notice to submit supplementary material in relation to the reasons for the conditions as per Section 81(7)(b)(ii).

Once a final determination is made by MARA, the applicant(s) will be notified, and MARA will publish a notice on its website as soon as practicable thereafter.

Signed:  Position: Manager, MACU

Signed:  Position: Senior Engineer, ARDU