



An tÚdarás Rialála Limistéir Mhuiri
Maritime Area Regulatory Authority

Minutes of the Maritime Area Regulatory Authority (MARA) Board Meeting

Date	18 July 2023
Venue	Oscar Wilde Boardroom, Clayton Whites Hotel, Wexford
Time	10:30 – 12:30
Chaired by	Mark Mellett Vice Admiral DSM (Rtd), Phd (MM)
Board Members Present	Mr. Brendan McGrath (BMcG) Mr. Patrick Gibbons (PG) Mr. Paul O'Neill (PON) Dr. James Massey (JM) Mr. Patrick Moran (PM) online Dr. Ruth Brennan (RB) online Ms. Niamh Kenny (NK) online Mr. Philip Daly (PD) online Ms. Alma Walsh (AW) online
In attendance	MARA Executive - Ms Laura Brien (LB), Mr. Rory O'Leary (ROL), Ms. SORCHA Byrne (SB), Mr. Connor Rooney (CR) Guest - Ms. Karen Banks (KB)

Agenda Items

1. Welcome and apologies

Chair conveyed the thanks of the board to the staff of MARA for their efforts regarding establishment and the official launch.

2. Conflict of interest

Chair invited members to declare conflicts of interest. RB indicated an interest that did not impact this meeting.

3. Draft minutes from 6th informal board meeting

Minutes adopted unanimously. Chair reviewed outstanding actions including decision for an online workshop on the levy framework in September and nomination of MARA CEO to join the Offshore Wind Taskforce.

4. MARA establishment update

RoL confirmed all necessary legal instruments were signed by the Minister on 12th July 2023 and copies will be circulated in due course. Legal opinion received confirmed commencement of all functions on 17th July 2023. RoL gave an update on resourcing in MARA and outlined the demarcation between the MARA's remit and the Foreshore regime. During the transitional and establishment phase MARA will

need to publish guidance and continue with proactive engagement. JM highlighted seasonally dependent activities that might be impacted during this phase. PON sought clarity on the exemptions piece and conditions on licences. BMcG confirmed not every Local Authority have byelaws and brought the Board's attention to the event licensing code. The Board agreed proactive communication is key for the organisation and consideration to be given to an agreed communication approach by MARA e.g. FAQ and/or Circular System.

5. Terms of reference

Chair noted observation of PG to review the "no later than 3 working days" timeframe for the circulation of board meeting documentation in due course. BMcG flagged an aspiration to include an ethics declaration in future iterations of the terms of reference (ToR). ToR adopted unanimously [proposed by PG and seconded BMcG].

6. Appointment of Chief Executive Officer (CEO)

In accordance with Section 56(1) of the MAP Act 2021 the Board approved the appointment of LB to the position of CEO [proposed by BMcG and seconded PON].

7. Schedule of matters

The document and table outlining the delineation of matters reserved for the Board and delegated functions for the CEO was reviewed in detail. Noting the following:

- Section 43(1)(g): enforcement function will require oversight of the board as it evolves
- Section 47(2) of the MAP Act: a value of €100k was set and agreed by vote [6 to 4].
- Section 47(2)(e): provides for an important role for the Board.

The document will be amended to reflect the Board discussions and a revised document will be approved by the Chair. Once the approach is agreed the CEO will recirculate the contents as two separate documents:

- i. Schedule of matters for the Board;
- ii. Delegated functions to the CEO.

The Board will consider the documents and approval will be by written resolution. The Chair has approval of the board to enable the signing of these documents. The final documents will be reviewed periodically (6 months to begin) [proposed by BMcG propose and seconded PG], particularly with reference to the seriousness of matters to be prosecuted.

8. Delegation of authority

Covered under discussions at item 7.

9. Appointment of Board Secretary

The Board approved the appointment of SB to the role of Board Secretary [proposed by PON and seconded BMcG].

10. Code of conduct

Code of conduct adopted unanimously [proposed by PG and seconded BMcG].

11. Conflict of interest

JM sought clarification on the approach to the value column in the document. It was agreed that a monetary declaration would be retained. It was noted in cases of requests for release under Freedom of Information (FOI) requirements, that there are legislative provisions which safeguard the release of commercially sensitive information. Conflict of interest adopted unanimously [proposed by JM and seconded PG] with revision to value column.

12. Audit and risk committee

The following appointments to the Audit and Risk Committee (ARC) were agreed; NK as Chair of the ARC and PON as committee member. An additional committee member will be confirmed in due course. The first meeting of the ARC will be online. The Board Secretary will circulate contact details to the ARC Chair and formal letter of appointments for ARC members will issue.

13. Schedule of future meetings

The Board Secretary will poll the suggested dates put forward in the document Board Work Programme and Schedule of Meetings to Year End 2023.

14. Governance work programme to year end

Covered under discussions at item 13.

15. Recap of decisions made and actions taken

The Board approved appointments of the CEO and Board Secretary.

The following documents were approved unanimously the Terms of Reference and the Code of Conduct. Amendments will be made to the Schedule of Matters, Delegation of Authority and Conflict of Interest.

Request representation by the CEO on the Offshore Wind Delivery Taskforce.

The ARC was established with additional member to follow.

Date for next meeting will be subject to polling by the Board Secretary and a separate date for the levy framework workshop.

16. AOB

Board Appointment letters will issue together with a copy of the appointment order.

Notification of the appointment of the Chair will issue to the Joint Oireachtas Committee.

Decision Time training to take place on line for the Board on 19th July 2023 @ 10am.

Board Secretary to get clarification on the provision of mara email addresses and tablet security protocol.

JM noted following formal launch an increase in media announcements with some containing inaccurate information about remits of various regulators of the maritime area. Chair confirmed the Board is alert to the point and MARA will manage its communications.

ENDS.