An tÚdarás Rialála Limistéir Mhuirí
Maritime Area Regulatory Authority

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

Date	29 October 2024
Venue	Corrib Room, Tom Johnson House, DECC – HQ, Haddington Road, Dublin 4
Time	10:30 – 14:00
Chair	Mark Mellett Vice Admiral DSM (Rtd), Phd (MM)
Board Members Present	Ms. Karen Banks (KB) Dr. Ruth Brennan (RB) Mr. Patrick Gibbons (PG) Online Ms. Niamh Kenny (NK) Dr. James Massey (JM) Mr. Brendan McGrath (BMCG) Mr. Paul O'Neil (PON) Ms. Alma Walsh (AW) Mr. Patrick Moran (PM)
In attendance	MARA Executive – Ms. Laura Brien (CEO), Ms. Sorcha Byrne (Secretary), Mr. Anthony Sinnott (AS) Mr. John Evans (JE), Ms. Niamh Lennon (NL) [Agenda Item 13] Mr. Frank Ronan (FR) (Online) [Agenda Items 8-10]
	DECC - Mr. Philip Nugent (PN) [Agenda Item 11]

Agenda Items

1. Non-Executive and Board Evaluation Session (10:30 – 11:00)

In the non-executive session, the Board reviewed the Board Self Evaluation Questionnaire and endorsed its acceptance as a fair and accurate reflection of the Board's performance. In addition, the Board scored additional questions on Gender Equality and Diversity at 4.5 and 4 respectively. The Board mandated the Chair to advocate, as appropriate, to further enhance inter alia Board Diversity and Gender Balance as opportunities arise such as when Board regeneration is under consideration.

The Board was pleased to endorse the Chair's report on the positive leadership of the CEO as part of ongoing HR appraisal.

2. Welcome and apologies

The Chair welcomed board members with apologies from Mr. Philip Daly noted.

3. Declarations of Interest

None declared.

4. Minutes

4.1 Board Minutes - The Board approved the following resolution:
That at its meeting on 29 October 2024, the Board adopted the minutes of the MARA board meeting of 09 September 2024 attached at agenda item 4.1.

4.2 ARC Minutes - The Board approved the following resolution:
That at its meeting on 29 October 2024, the Board adopted the minutes of the MARA Audit and Risk Committee meeting of 26 July 2024 attached at agenda item 4.2.

5. Matters arising
The Board reviewed outstanding actions from previous meetings noting:
- Progress MAP Act walk through for Board members in January 2025.
- Further work on progressing the Scientific and Technical Reference Committee will be presented to the Board at December meeting.

6. Governance Policies and Procedures
6.1 Schedule of Matters - The Board approved the following resolution:
That at its meeting on 29 October 2024, the Board approved the revised Schedule of Matters.
6.2 MARA Public Consultations Protocol - The Board approved the following resolution:
That at its meeting on 29 October 2024, the Board approved the MARA Public Consultations Protocol for engagement of MARA's Board with the following amendments
- Addition of the following sentence at start of document "The Board and Executive of MARA will always operate within its area of competency."
- Replace Ministerial Marine Policy Statement with National Development Plan in Category 2.
- Confirm Chairperson in consultation with Executive will determine final reply where there are conflicting views between board members.

6.3 Bank Mandate - The Board approved the following resolution:
That at its meeting on 29 October 2024, the Board approved the revised bank mandate.
Action:
- In 2025 the Executive to complete an analysis of spend to see patterns and categories of payments arising within MARA.

6.4 Procurement Award – Recruitment Services - The Board approved the following resolution:
That at its meeting on 29 October 2024, the Board approved the award of a single party framework agreement for recruitment services to Osborne Recruitment for an estimated value of €150,000 excl. VAT on the basis of Most Economically Advantageous Tender.
Action:
- In September 2025 the Executive to provide feedback to the Board on the provision of recruitment services.

7.0 CEO Report
The CEO focused the Board's attention on the Executive summary, outlining work completed to date on a review of the workforce plan for the organisation and the recruitment drive to address gaps in the skills mix.
The Board noted that the deadline by which recent licences can be judicially reviewed has passed with none received to date. CEO noted that it is uncertain how this will manifest in the future. The CEO drew attention to the expectation for an increase in compliance activity levels.
The recruitment of the enduring MARA legal team is proceeding and once in place the existing support from the CSSO will wind down.
In response to queries from the Board, the CEO confirmed an improvement on timeframes for the assessment of applications from research institutions following the triage trial and outlined the nature of stakeholder engagement with Departments.

8.0 ARC Report
The Chair of the ARC gave a report on its meeting, 23 October 2024, highlighting the presentation by the C&AG of their 2025 work programme and an initial presentation provided by the newly appointed internal auditors. In addition, the following items were presented to the Board:

8.1 ARC Written Charter
The ARC Written Charter was presented to the Board and received approval.

8.2 ARC Terms of Reference - The Board approved the following resolution:
That at its meeting on 29 October 2024, the Board approved the revised ARC Terms of Reference.

8.3 Bad and Doubtful Debts Procedure - The Board approved the following resolution:
That at its meeting on 29 October 2024, the Board approved the Bad and doubtful debts procedure.

Action:
- The Executive to engage with the relevant vote section within DPER on this policy/procedure.

8.4 Reserves Policy –
In the discussion of this agenda item, the Board noted the importance to distinguish that MARA act as the collection agency for the State in respect of the maritime estate.
The Board approved the following resolution:
That at its meeting on 29 October 2024, the Board approved the Reserves Policy.

Action:
- The Executive to examine in 2025 the ability for MARA to respond to an emergency scenario, specifically the ability to ensure funding is available i.e. contingency funding mechanism.

9.0 Risk Register
FR gave an overview of the risk register highlighting discussions have centred on risk 1 – statutory and organisational deadlines and risk 14 – health and safety. The Chair of the ARC brought the Board's attention to the risks of recruitment, delays to processes and the impact on the organisation's reputation. The recommendation to utilise mitigations include option of contracting services where possible. The Board discussed the status of risk 8 – board skills/commitment and concluded as a new organisation this risk should remain open. Clarification was given by FR around the focus of risk 38 – access to NSSO for MARA staff.
The Board noted the need for clarity on the use of the word resources, which following discussions was understood to refer to non-financial resources i.e. human.

Action:
- The Executive to revise wording of risk 17 to "the recruitment of the right people".

10.0 Quarterly Accounts – Q2 and Q3 of 2024
The accounts for quarter 2 and 3 of 2024 were presented to the Board and received approval, noting the format of the accounts will expand following discussion with the ARC to include comparison against budget and distinction of revenue streams.
In response to a query from the Board, FR confirmed the forecasted year-end reserves amount to be surrendered is €15m.

11.0 Philip Nugent, Assistant Secretary DECC – Introduction
PN gave an overview of the developments of the Marine Planning function within the DECC, including the expansion from 2 to 4 Marine Planning Divisions, reflective of how other areas of the Department's work is delivered through marine planning e.g. security, energy, communications as well as cultural and environmental considerations. Regulation is not just authorisations, the regulatory function reflects across the entirety of MARA and depends on strong governance. As an independent agency

dependent on resourcing structure of central government a healthy tension can be expected between MARA and DECC, which will be overseen by the Oversight and Performance Delivery Agreements. Finally, PN encouraged MARA to embrace the input it can make in policy development, this role does not impinge on MARA regulatory remit. PN responded to questions from the Board on the status of Marine Protected Area legislation. The Chair provided an update on the launch of MARA's Statement of Strategy, conveying the Board's appreciation to DECC and confirming MARA stands ready to input and collaborate to overcome Ireland's sea blindness.

12.0 Presentation – Planning and Development Act
Presentation by Senior Marine Advisor Niamh Lennon and accompanied by Director of Assessment, Research and Data, John Evans.
The Board sought clarification on the implementation timeframe and recognised the database and register requirements and noted all planning software systems will need to interact with these new requirements, in particular reference was made to the new local authority e-planning system.
The CEO indicated there will be future presentations to the Board on this matter, the commencement of this legislation will impact on MARA's resources and drive the 2025 work plan.

Action:
- Arrange for walk through of the Act's commencement plan for the Board.

13.0 Overview of the 2025 Budget and Annual Plan.
The CEO ran through a preview of the 2025 budget and annual plan, with a view to providing early sight to the Board with detailed material to be presented to the Board at the December meeting for approval.
Arising from discussions on the capital expenditure, the CEO provided an update on the office refurbishment project and negotiations with the landlord. The Board sought the circulation of papers on the office project with a view to confirm its decision on the next steps of the capital expenditure project via a written resolution process.

Actions:
- 2025 annual plan priorities to be aligned with key risks and mitigations as per the risk register.
- Secretariat to organise written resolution procedure on office fit-out tender.

14.0 AOB
Date for the next meeting is 3rd December 2024, venue to be confirmed.

ENDS.