



An tÚdarás Rialála Limistéir Mhuirí
Maritime Area Regulatory Authority

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

Date	21 January 2025
Venue	The Ormond Building, 31-36 Ormond Quay Upper, Dublin 7
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) Ms. Niamh Kenny (NK) Mr. Philip Daly (PD) Ms. Alma Walsh (AW) Mr. Patrick Moran (PM) Dr. James Massey (JM) Mr. Paul O’Neil (PON) Online Mr. Patrick Gibbons (PG) Online Mr. Brendan McGrath (BMCG) Online
In attendance	MARA Executive – Ms. Laura Brien (CEO), Ms. SORCHA Byrne (Secretary), Ms. Danielle O’ Dowd (DOD) Mr. John Evans (JE) [Agenda Items 6 & 7] Mr. Frank Ronan (FR) [Agenda Item 8] Online Dr. Karen Creed (KC) [Agenda Item 11] Online Mr. John Healy (JH) & Mr. Alan Harte (AH) [Agenda Item 12]

Agenda Items

1. Non-Executive and Board Evaluation Session (10:30 – 10:45)

2. Welcome and apologies

The Chair welcomed board members.

Note: PD joined the meeting

3. Declarations of Interest

None declared.

4. Minutes

4.1 Board Minutes - The Board approved the following resolution:

That at its meeting on 21 January 2025, the Board adopted the minutes of the MARA board meeting of 03 December 2024 attached at agenda item 4.1.

4.2 ARC Minutes – No ARC Minutes on this occasion, minutes from the October ARC meeting will be reviewed by the ARC at its next meeting scheduled for February.

5. Matters arising

5.1 Action Log

The Board reviewed outstanding actions from previous meetings noting:

- Give further consideration to MARA’s role in influencing the agenda with regards to conferences dealing with the legal complexities in the maritime area. The Chair will lead on looking for suitable opportunities. Board members also noted their respective abilities to raise awareness of this matter.

- The workshop for the Board on the design process for the competitive MAC process is outstanding, its dependent on the engagement of the consultants

6.0 Business Case Approval

The Director of Assessment, Research & Data outlined the memo and business case to establish a framework for consultants to assist MARA in a range of technical areas. The Board sought clarification on the approach to modelling ecological impacts of development in the maritime area. MARA staff noted that MARA will be commenting rather than undertaking modelling of its own. In addition, confirmation was provided that sufficient internal financial controls are in place to ensure that agreed budgetary allocations are not exceeded.

The Board approved the following resolution:

That at its meeting on 21 January 2024, the Board approved the publication of a Framework Tender Competition for the provision of Technical Expertise to MARA, and the award of the associated framework contracts following evaluation of tenders received. Total spend under the Framework is not to exceed the published maximum of €499,600 (excl. VAT).

7.0 Scientific and Technical Advisory Committee

The Director of Assessment, Research & Data presented the memo. The Board discussed noting its agreement in principal but with an opportunity for the Board to provide additional comments and to append the list of invitees. This item will be presented to the Board for its consideration via a written resolution process.

Action:

- Utilise written resolution process for the presentation of updated memo on the scientific and technical advisory committee.

8.0 Risk Register

The Director of Corporate Affairs gave an overview of the risk register highlighting the change in register's format to incorporate a Division column. Further to the Board's discussion in the non-executive session, the Board discussed MARA's remit in respect of the national electricity targets contained in the Climate Action Plan; and the organisation's enforcement function with a focus on exploring avenues to access the outer maritime area. The Executive drew the Board's attention to risk Ops 8 on the register. The Board also gave consideration of risks Corp 10 and 11; as risk Corp 10 is out of appetite and has an impending deadline, the Board agreed that the Chair and CEO will advocate for MARA to retain access to NSSO services beyond July 2025.

Issue of

Action:

- Give consideration to reflecting MARA's remit in respect of the national electricity targets contained in the Climate Action Plan on the risk register.
- Chair to work with CEO to advocate for MARA to retain access to NSSO services.

9.0 CEO Report

The CEO focused the Board's attention on the Executive summary, outlining work completed to date. Discussions by the Board centred on the status of the business case now with DECC, is reflective of the Board's input and requires DPENDPDR approval. There is no change on approach for MUL applications for research activities where there is an appropriate assessment requirement. The Executive explained that MARA does not yet have sufficient resources to be able to operate a dual track system. An exemptions approach is under consideration which could form part of a legislative amendment. The CEO gave confirmation to the Board that the staffing figure of 51 includes secondees, there is active engagement with the secondees regarding future plans and recruitment to reach existing head count authorisation underway.

10.0 ARC Report

The Chair of the ARC provided a brief oral report, outlining the committees work underway with the internal auditors ahead of the next ARC meeting scheduled for February 2025

11.0 Financial Capability Assessment Guidance Review

The Director of Authorisations presented the outcome of the review of the financial capability assessment guidance to the Board.

The Board sought clarity on the approach to the fit and proper person test, focusing attention on the 'comply or explain' approach and reflecting on differing entities e.g. ports or special purpose vehicle (SPV) projects. The Board noted the need to prevent hoarding of State assets and underlined the importance of MARA's considerations reflecting on wider policy objectives of the State across the maritime area. Clarification was provided on the self-declaration approach to annual letter of comfort. The future potential for sectoral specific guidance was noted. The Board expressed thanks to the Executive for the presentation and work undertaken on the guidance, which will provide confidence to applicants.

Acknowledging MARA's independence, the Board asked the Executive to engage with Departments as appropriate on the revised guidance.

The CEO advised that MARA's technical capability assessment guidance review will be presented to the Board in due course for approval. A clean/red line version of the document to be provided to the Board.

Action:

- Utilise written resolution process for the presentation of the text of the guidance to the Board for approval.

12.0 Legislative Overview

The Board were introduced to the Director of Legal Affairs, AH. A presentation was provided to the Board by JH consisting of a legislative overview of the Maritime Area Planning Act and the work of the CSSO in the role as MARA's legal unit since establishment. The Board expressed their thanks to JH and the CSSO team noting the programme of handover to take place in July 2025 to MARA's in house legal unit. On foot of the presentation the Board discussed the need to codify responsibility in situation where unauthorised activity occurred where MARA has granted maritime authorisations.

Action:

- Seek legal advice on where does competent authority sit within the state to prevent unauthorised activity where MARA has granted maritime authorisations.

13.0 AOB

The Secretariat brought the Board's attention to the 2025 program of events hosted by the Institute of Public Administration Governance Forum.

The Board affirmed its request for timeliness in the circulation of board meeting papers to enable meaningful input into matters.

Date for the next meeting is 04 March 2025, venue to be confirmed.

ENDS.