An tÚdarás Rialála Limistéir Mhuirí
Maritime Area Regulatory Authority

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

Date	06 May 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) Mr. Philip Daly (PD) Online Mr. Patrick Gibbons (PG) Online Ms. Niamh Kenny (NK) Dr. James Massey (JM) Mr. Brendan McGrath (BMCG) Online Mr. Patrick Moran (PM) Ms. Alma Walsh (AW)
In attendance	MARA Executive – Ms. Laura Brien (CEO), Ms. Sorcha Byrne (Secretary), Ms. Danielle O' Dowd (DOD) Mr. Frank Ronan (FR) Online [Agenda Item 10.0] Ms. Yvonne Doris (YD) [Agenda Item 12.0]

Agenda Items

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

2. Welcome and apologies

The Chair welcomed board members with apologies from Paul O' Neil. Matters raised during the non-executive session for discussion will be raised at the appropriate agenda items.

3. Declarations of Interest

None declared.

4. Minutes

4.1 Board Minutes - The Board approved the following resolution:
That at its meeting on 06 May 2025, the Board adopted the minutes of the MARA board meeting of 04 March 2025 attached at agenda item 4.1.
4.2 ARC Minutes – The Board approved the following resolution:
That at its meeting on 06 May 2025, the Board adopted the minutes of the ARC meeting of 17 February 2025 attached at agenda item 4.2.

5. Matters arising

Note: PD left meeting

5.1 Action Log

The following updates were provided:

- A working group has been established between the Executive and DECC to progress an alternative plan to the provision of payroll and associated services to MARA via the service level agreement which ends in July 2025 (NSSO). Estimated to take 18 months to replace these services.
- During the non-executive session, the Board discussed the development of a Planning and Performance subcommittee, which could incorporate high level metrics and indicators including climate change.

Action:

- Retain the competitive MAC process on the action log providing status updates until the completion of the project.
- Board member AW to assist facilitation of the walkthrough of the 2024 Planning & Development Act, if possible, schedule for board strategy session.
- Chair to provide draft terms of reference for the planning and performance subcommittee.

- The Board discussed the outcome of the recent written resolution processes noting that deadline timing wasn't an issue but the ability for board members to raise queries and have these resolved during the process was a matter for further consideration.

5.2 Written Resolution Scientific and Technical Reference Committee

The Board noted an addition to the draft terms of reference, amending the draft resolution and approved the following:
That at its meeting on 6 May 2025, the Board approved the revised terms of reference appended to the memorandum attached at agenda item 5.2, with the addition of "any matter" at the end of point 3.5, thereby establishing the Scientific and Technical Reference Committee.

5.3 Written Resolution Approval of expenditure in excess of €100k associated with the office fit out project

The Board amended the draft resolution and approved the following:
That at its meeting on 6 May 2025, the Board approves payments to David Flynn Limited, Contractor, for amounts certified by the Architect/QS, up to a cumulative maximum of the Contract Sum of €1,036k. Any payment that cumulatively exceeds the overall contract sum will require the prior approval of the Board.

6 Governance Policies and Procedures

6.3 Annual Report

The CEO brought the Board's attention to work underway on MARAs first Annual Report noting that it is broken into three main parts – General information, Governance Reporting requirements under the Code of Practice and the Financial Statements. A draft will be made available for Board review in advance of the next Board meeting. The board discussed the best schedule for the review process in line with the statutory reporting deadline of 30 June.

Action:

- Executive to explore a file share option for review process.
- Draft text to be circulated by 06 June with Board comments due back by 13 June.
- Final text to be presented to the Board via written resolution on 20 June with written resolution approval deadline on 25 June.

6.2 Code of Practice for the Governance of State Bodies Checklist
The CEO presented the checklist to the Board, noting signatures of the CEO and Chair prior to its submission to the Department in June. The Board noted the work by the Executive which resulted in limited derogations sought by MARA. The Executive were directed to complete outstanding explanations for questions 56, 67, 91, 92 and 95. The Board noted the checklist is a work in progress until those elements are updated and signatures applied.
Action:

- Executive to update explanations as noted by the Board and arrange for signatures.

6.3 Oversight and Performance Delivery Agreement
The CEO explained that last year a combined Oversight and Performance Delivery Agreement was put in place between MARA and its parent Department. Going forward there will be two separate agreements (i) an Oversight Agreement covering a three-year period, with provision for annual reviews and (ii) an annual Performance Delivery Agreement. The draft agreements were presented to the Board for information and the opportunity to provide observations. The Board were provided with the rationale behind the quantitative targets for improving assessment timelines and metrics, i.e. that based on existing resources, MARA will see a 50% increase in throughput of evaluations. At this point in the year, the Executive are on track in respect of MAC evaluations and behind on MUL evaluations. It was also confirmed that there are no explicit penalties in respect of target attainment.
The Secretariat confirmed in line with governance norms, the agreements should be shared with the Board for information noting that the agreements will be signed by the CEO of MARA and at Assistant Secretary level for the Department.
Action:

- Copy of final agreements to be provided to the Board for information.

7.0 Strategy

Note: PD returned to the meeting

7.1 Strategic Plan
The CEO presented the Q1 2025 SoS implementation and progress report to the Board, the tracker was updated on foot of comments from the Board and now contains a comment column, there is a provision for a RAG approach on the overview sheet at objective level. It was acknowledged that the level of detail and complexity of the document impacted on the presentation. The Executive and Board will keep the approach to the reporting format under review.
The Board discussed action 1.2.a – maintain a dynamic and transparent prioritisation system for MACs and MULS, the CEO outlined the prioritisation system review that was carried out, highlighting issues identified within the prioritisation process, the single list approach to applications and potential solutions to assess applications utilising the framework for the provision of technical expertise.

7.2 Planning for Board Strategy Session
The Board discussed options for a strategy session and decided to schedule the session to coincide with the September board meeting, with Wexford as the location to visit the refurbished HQ and engage with senior management and staff across MARA.
Action:

- Secretariat to engage with the Chair and plan for September strategy session and away day.

8.0 CEO Report
8.1 Report
The CEO focused the Boards attention on the Executive Summary, outlining work completed to date. An update was provided on workforce planning detailing new recruitments and the regrading of positions to allow for recruitment of technical specialists. The progression of the organisational review being conducted by Mazars was discussed which will looks to existing and new functions for MARA. The outcome of the review will be presented to the Board.
The CEO advised that the office fit out work has started and assured the Board that all contractual requirements previously specified by the Board were put in place. A tender process is underway to prepare and ICT strategy for MARA to support digitisation of operations. The update also outline recent engagements at Departmental level which included a meeting with the Minister and stakeholder engagement with eNGOs and industry.
The Board discussed recent media articles, which referenced the Offshore Wind Delivery Taskforce, the CEO outlined the taskforce is not a decision making forum but a way to give updates on delivery, for all arms of the State represented on the taskforce. The Board recognised the parameters of MARA's remit and the constraints that sees MARA dependent on others to deliver e.g. policy and legislative amendments. A future communications piece may be required to set out MARA's remit and to highlight the variety of applications to MARA other than ORE.
In terms of risk, the CEO outlined there is an interest from the political sphere on applications and timings, acknowledging the need to improve the communication systems for applicants.
A discussion was held around the legal changes required to exempt certain activities from the requirement to hold a MUL The CEO outlined the responsibility is with DECC to investigate solutions and to draft legally robust legislation that would allow MARA to legally exempt certain activities.

8.2 MEMO Scéirde Rocks
The CEO presented a memo to the board following Fuinneamh Sceirde Teoranta (FST) confirmation that it will unfortunately no longer proceed with the development of Sceirde Rocks Windfarm. Memo covered options for MARA to address potential surrender or assignment of MAC and foreshore licences and advised the Board that a formal demand for payment will be issued for the MAC annual levy fee.

9.0 ARC Report
The Chair of the ARC sought an update on the audit review of the office fit out and the Director of Corporate Affairs advised that the terms of reference are agreed, and the audit is underway, it is expected to be completed by the end of May 2025.

10.0 Finance Matters
10.1 Write Off – Bad Debts
The Director of Corporate Affairs presented the agenda item, noting MARA has no recourse to reclaim from parent companies once an Irish subsidiary has been dissolved.
The Board approved the following recommendation:
That at its meeting on 6 May 2025, the Board approved the write off of the Foreshore Debtor balances attached at agenda item 10.1.

10.2 Financial Statements
The Director of Corporate Affairs presented an updated draft of the 2024 financial statements to the Board for information. The C&AG audit had commenced and is progressing well. Final financial statements will be presented to the Board in due course.

10.3 Chairpersons Comprehensive Report
The draft report was presented to the board by the Director of Corporate Affairs highlighting the instances where derogations were being sought and noting an exception of compliance with procurement guidelines in respect of a preexisting MARA establishment Unit process for board management software. A final report will be prepared and submitted to the Board for approval.

11.0 Risk Register
The Director of Corporate Affairs advised a new operational risk [13] has been added to the register, addressing backlog of applications. Discussion was held around resourcing and underestimated demand, noting that the volume of applications being received exceeds what was received in the previous foreshore regime. Additional responsibilities and functions assigned to MARA has created more demand on resources.
The Executive is undertaking an overall review of risk management and the register.

12.0 Compliance, Enforcement and Revenue – Policy Presentation
The Director of Compliance, Enforcement and Revenue presented the Compliance and Enforcement Policy. The Board welcomed the presentation and endorsed its contents. It requested the inclusion in the policy of approaches to collaboration with other authorities and regulators for information sharing e.g. satellite and drone technology capacity of other bodies. Approach to unauthorised activities was also discussed, with the Board requesting an expansion of Section 8 of the policy to reflect a proactive approach to reporting and enforcing unauthorised activities. The Board approved the following resolution:
That at its meeting on 6 May 2025, the Board approved the publication and implementation of the Compliance and Enforcement Policy attached at agenda item 12.0

Note: AW & NK left the meeting

13.0 AOB
Consideration of a MARA stakeholder forum: The new Director of Policy & External Affairs to present to the Board in July on next steps.
The Board suggested the Executive assess its blended working policy, in conjunction with the workforce planning review.
An approach to be developed to inform the Board of upcoming conferences and events that could assist with the continued professional development of board members.
Matters arising from the non-executive session were highlighted, with the following Board decisions noted:

- The Chair proposed alternative signatories to authenticate the seal of MARA in the Chair's absence will be KB and PD.
- The proposal to establish another committee of the board entitled the Planning and Performance Committee, with PD in the position of Chair of the Committee. A Terms of Reference (TOR) is to be drafted and presented to the Board for approval.
- Confirmation that JM is Chair of the Scientific and Technical Reference Committee.

The Board conveyed its appreciation for the work of the Executive.
Action:

- TOR for the Planning and Performance Committee to be presented to the Board at the July Board meeting.
- Secretariat to develop an approach to updating the board of upcoming conferences and events.

ENDS.