

Maritime Usage Licensing and Planning Advisory Directorate Response to Supplementary Material on a Minded to Determination			
To:	John Evans, Director	From:	Dr Ciar O'Toole Senior Marine Advisor
Date:	13/08/2026	Maritime Usage Licence Application No:	MUL230036
MUL Applicant Name:	SEATEC N.V. (the Applicant)		
MUL Applicant Registered Address:	Verversrui 15, Antwerpen, Belgium		
Licence application received:	31/04/2024	Supplementary material received:	17/07/2026
Type of maritime usage in accordance with Schedule 7 of the Maritime Area Planning Act, 2021 (as amended):		<i>3. Marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000</i> <i>7. The use of a vehicle, vessel (including a craft capable of travelling on, in or under water, whether or not self-propelled), boat, aircraft, marine structure (other than a pipeline) or floating container to remove any substance or object from the seabed</i>	
Location of proposed Maritime Usage:		Porcupine Bank (265km West of Valentia, Co. Kerry)	

Introduction:

The Applicant submitted the following materials to MARA in support of its application for a Maritime Usage Licence (the MUL Application):

- (i) A MUL Application dated 31 April 2024 allocated a Maritime Usage Licence Number MUL 230036
- (ii) An email on 30/01/2026 in response to a Request for Additional Information (RAI) issued on 08/12/2025.
- (iii) A report titled “Revised Annex IV Assessment Report – Underwater Noise” on 23/04/2026 in response to a Request for Additional Information request (RAI) issued on 08/12/2026. This document had been omitted from the original Applicant email of 30/01/2026 and was submitted following a query from MARA on 16/04/2026.
- (iv) A number of documents submitted on 25/05/2026 in response to a second Request for Additional Information (RAI) issued on 24/04/2026.

The MUL Application is for:

- (i) *marine environmental surveys for the purposes of site investigation or in support of an application under Part XXI of the Act of 2000, as listed under Schedule 7(3) of the Maritime Area Planning Act 2021 (as amended) (the MAP Act)*
- (ii) *The use of a vehicle, vessel (including a craft capable of travelling on, in or under water, whether or not self-propelled), boat, aircraft, marine structure (other than a pipeline) or floating container to remove any substance or object from the seabed, as listed under Schedule 7(7) of the MAP Act.*

The Maritime Area Regulatory Authority (MARA) issued a Minded to Determine Notice (the Notice) to the Applicant on 26/06/2026 in which the Applicant was advised in the Notice that MARA was minded to refuse to grant the MUL Application and was further advised of the reasons why MARA is so minded.

The Applicant was also advised in the Notice of its entitlement under s.119(6)(b)(ii) of the MAP Act to submit supplementary material in the specified form to MARA for further consideration, in respect of the reasons only. The Applicant was given a deadline of 17/07/2026 for submission of such material.

Supplementary Information – response from Applicant

The Applicant submitted a response on 17/07/2026 with supplementary information setting out their reasons against the proposed decision regarding a refusal (the Supplementary Information). This Supplementary Information was composed of five documents:

- Supplementary Heritage Assets Policy 1 Assessment
- Wreck Identification and Cargo Evidence Report
- Supplementary Assessment of Effects on the Marine Strategy Framework Directive
- Supporting Information for Screening for Appropriate Assessment
- Natura Impact Statement

This report addresses the Supplementary Information material submitted by the Applicant based on a review of the five documents as well as MARA's assessment reports.

Review

The reasons why MARA is minded to refuse to grant a licence to the Applicant are set out below, together with a summary of the Applicant's response and MARA's position in relation to same.

1. The proposed maritime usage does not support Heritage Assets Policy 1 of the National Marine Planning Framework.

Applicant's response:

The Applicant has now submitted two reports on the Heritage asset [the wreck as identified by the Applicants], which it failed to supply during the application process either as part of their original application dated 31/04/2024, or when requested as part of the second Request for Additional Information (RAI 2) dated 24/04/2026.

2. The potential impacts of the proposed maritime usage on Descriptors 1, 3 and 11 of the Marine Strategy Framework Directive could not be adequately assessed.

Applicant's response:

The Applicant submitted a report on Descriptors 1, 3 and 11 of the Marine Strategy Framework Directive, which it had failed to submit during the assessment process, either as part of their original application dated 31/04/2024, or when requested as part of the first Request for Additional Information (RAI 1) dated 08/12/2025 and RAI 2 dated 24/04/2026.

3. MARA was unable to carry out screening for appropriate assessment in respect of the proposed maritime usage in accordance with its legal obligations under the European Communities (Birds and Natural Habitats) Regulations 2011, as amended, as the applicant has not provided all the information MARA reasonably considers necessary to determine the application.

Applicant's response:

The Applicant submitted two documents to support the Appropriate Assessment process, a Supporting Information for Screening for Appropriate Assessment report and a Natura Impact Statement, which they failed to submit during the assessment process either as part of their original application dated 31/04/2024, or when requested as part of RAI 2 dated 24/04/2026.

MARA's Response:

As the Applicant was informed in the Notice dated 26/06/2026, the purpose of a notice issued under section 119(6)(b) of the MAP Act is to afford the Applicant an opportunity, in the interests of procedural fairness, to provide supplementary material for MARA's further consideration before making its final determination on the application.

The Applicant was further advised by MARA in an email sent on 13/07/2026 that the section 119(6)(b) of the MAP Act process does not constitute a continuation of the substantive assessment of the application, nor is it equivalent to a Request for Additional Information during the assessment process. Rather, it is a statutory opportunity for the applicant to respond to the reasons for the proposed determination as set out in the Notice.

The Applicant has now submitted supplementary material under the 119(6)(b) process which would require a continuation of the substantive assessment of the application. There is, however, no statutory basis for MARA to engage in further assessment of the application at this stage of the process.

The Applicant can, however, submit a new application for MARA for assessment.

Recommendation:

MARA is minded to determine the application by refusing to grant a licence and it is recommended that MARA should proceed to final determination on that basis, under s.119(1)(b).



Dr Ciar O'Toole

Senior Marine Advisor

Maritime Usage Licensing and Planning Advisory Directorate