



**LICENCE UNDER SECTION 3(3) OF THE FORESHORE ACT, 1933**

The Minister for Housing, Planning and Local Government, in exercise of the powers conferred on him by Section 3 (3) of the Foreshore Act, 1933 (No. 12 of 1933) and in consideration of the sum of the licence fee which has been agreed in recognition of the rights and interests of the State in the foreshore concerned, hereby authorises Techworks Marine, Pottery Enterprise Zone, Pottery Road, Dun Laoghaire, Co. Dublin (hereinafter referred to as "the Licensee"), to use and occupy that part of the foreshore at Lough Swilly in the County of Donegal indicated on the attached drawing for the deployment of 4 No. bottom mounted Acoustic Doppler Current Profilers.

**The Licence is granted on the condition that:**

1. The Licensee shall indemnify and keep indemnified the State and the Minister for Housing, Planning and Local Government (hereinafter referred to as the Minister) their officers, agents and employees against all actions, loss, claims, damages, costs, expenses and demands arising in any manner whatsoever in connection with the said works or in the exercise of the permission hereby granted.
2. The Licensee shall pay to the Minister the sum [REDACTED] on the execution hereof in recognition of the rights and interests of the State in the foreshore concerned.
3. The Licensee shall ensure that the minimum area of access routes to the works site is utilised to reduce the temporary impact from the proposed works.
4. The Minister shall be at liberty at any time to terminate this Licence by giving to the Licensee notice in writing and upon determination of such notice the Licence and permission hereby granted shall be deemed to be revoked and withdrawn without any liability for the payment of compensation by the Minister to the Licensee.
5. The Licensee shall if so required by the Minister after receipt of such notice, or on the termination of this Licence from any other cause, at its own expense remove any or all equipment in connection with the said works to the satisfaction of the Minister and if the Licensee refuses or fails to do so the Minister may cause the said equipment to be removed and shall be entitled to be paid by and to recover from the Licensee as a civil debt due to the State all costs and expenses incurred by him in connection with such removal.
6. In the event of the breach, non-performance or non-observance by the Licensee of any of the conditions herein contained the Minister may forthwith terminate this Licence without prior notice to the Licensee.



7. Any notice to be given by the Minister may be transmitted through the Post Office addressed to the Licensee at its last known address.

**And on specific conditions that:**

8. The Licensee shall use that part of the foreshore, the subject matter of this licence, for the purposes as outlined in the application and for no other purposes whatsoever.
9. The Licensee shall ensure that the works are carried out and completed in accordance with the plans and particulars lodged with the application.
10. The Licensee shall notify the Department of Housing, Planning, and Local Government at least 7 days in advance of the commencement of the works on the foreshore.
11. The Licensee shall arrange the publication of a local marine notice. This marine notice shall give a general description of operations and approximate dates of commencement and completion. In addition a notice to this effect shall be published in a locally read newspaper.
12. The Licensee shall liaise with the SFPA and any relevant local licensed Aquaculture operators and inform them as to the presence and location of the ADCP devices in order that appropriate actions can be taken to avoid or minimise interactions with any on-going fishing/aquaculture activity in the device deployment areas during the course of the deployment period.
13. On completion of the monitoring activity the Licensee shall ensure that all equipment and materials are removed and the foreshore is reinstated to its original condition, to the satisfaction of the Department of Housing, Planning, Community and Local Government.

Signed and dated this 8<sup>th</sup> day of February 2019 by

Roger Harrington

Roger Harrington, Principal Officer

Department of Housing, Planning,  
and Local Government

An Officer authorised under  
Section 3(3) of the Foreshore Act  
1933 (as amended)

**Legend:**

◆ Acoustic Doppler Current Profiler (ADCP) Locations

Id	LS_ADCP	Latitude	Longitude
1	ADCP1	55.21654	-7.57701
2	ADCP2	55.11441	-7.48407
3	ADCP3	55.06456	-7.53648
4	ADCP4	55.02152	-7.54873

**Client:**

Irish Water



**Client Representative:**



**Project:**

Lough Swilly Marine Surveys  
for Wastewater Disinfection

**Drawing Title:**

Proposed ADCP Locations in Lough Swilly

**Drawn By:** CG      **Date:** November 2018

**Scale:**

0      5      10      15 km

