

**APPLICATION FOR A LEASE/LICENCE/PERMISSION UNDER THE  
FORESHORE ACT 1933 (AS AMENDED)\***

*(This form should NOT be used for Applications for Offshore Electricity Generating Stations)*

*Please read Guidance Notes before completing this form*

**USE BLOCK CAPITALS IN BLACK INK**

For Office Use

Application Ref. No. \_\_\_\_\_

Date of receipt. \_\_\_\_\_

**1. A. Name(s) of Applicant(s) in full**

Chris O'Callaghan, Managing Director, Atlantic Fuel Supply Company Ltd.

**B. Address(es) of Applicant(s) in full**

River House, Blackpool Park, Blackpool, Cork, Ireland. Reg. No. 439853

Telephone +353 (0) 21 4396950 Mobile \_\_\_\_\_

Fax +353 (0) 21 4396930 E-mail chrisocallaghan@inverenergy.com \_\_\_\_\_

**C. Signature of Applicant**

pp *Chris O'Callaghan*

Date: 20-11-2008

(where the signatory is an officer of a local authority or a company, the position held should be stated and the signatory's name should also be provided in block capitals).

**D. Name of contact person if different from above**

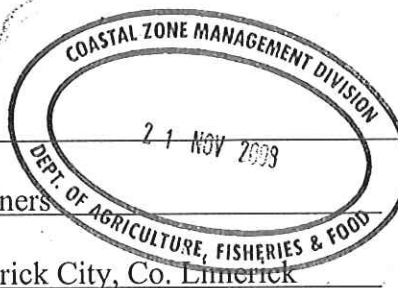
Danny Golden

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**\* Legislation Applicable**

*Foreshore Act, 1933 (No. 12); Foreshore (Amendment) Act, 1992 (No.17); Fisheries and Foreshore (Amendment) Act, 1993 (No. 54), Fisheries (Amendment) Act, 2003 (No. 21); European Communities (Environmental Impact Assessment Regulations, 1989 to 1999; Foreshore (Environmental Impact Assessment) Regulations, 1990 (S.I. No. 220); Planning and Development Act 2000 (No. 30) Part XV*

**E. Name and Address of Applicant's Legal Advisors**

(Applicants are strongly advised to seek legal assistance, prior to agreeing to accept an offer of a foreshore lease/licence/permission as all are legally binding documents. Where an offer is made of a Foreshore Lease/Licence/Permission it will be done through the Applicant's Legal Advisors)

FAO: Emma Middleton, William Fry Solicitors, Fitzwilton House, Wilton Place, Dublin 2

Telephone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

2. (A) A detailed description of the proposed works which are to be carried out on the foreshore.  
(Please feel free to use additional sheets, which should be signed and dated).

Construction of piped outfall through foreshore, and associated bed protection works

(B) A Statement of reason for the works

Construction of a treated outfall from the sewer and storm networks of nearby oil storage terminal

A statement of the disturbance to the foreshore, arising from these works, should be attached covering the impact on the marine environment including the impact on coastal erosion, navigation, fishing, fisheries (various species known to inhabit the area), pleasure boating and sailing, air navigation (if appropriate).

- (C) Provide the following location details in respect of the area of foreshore for which the

Lease/Licence/Permission is sought

(i) Bay \_\_\_\_\_ Foynes Harbour \_\_\_\_\_

(ii) County \_\_\_\_\_ Limerick \_\_\_\_\_

(iii) Geographic co-ordinates in degrees, minutes and seconds

\_\_\_\_\_ 9° 06.82' W 52° 36.85' N \_\_\_\_\_

(iv) OS Map No. \_\_\_\_\_ 4795 – C \_\_\_\_\_ or: Limerick Sheet 10 \_\_\_\_\_

(v) Size (hectares) \_\_\_\_\_ 0.0014 Ha above ground, 0.001 Ha below ground \_\_\_\_\_

(vi) Local Authority \_\_\_\_\_ Limerick County Council \_\_\_\_\_

3. **RECORD OF DOCUMENTS ENCLOSED WITH THIS APPLICATION**



An application for a lease or licence must be accompanied by 10 copies (15 copies if there is a possibility of significant impact on the marine environment, such as for sewerage schemes, dredging, marinas and any project requiring an EIS) of all relevant documents.

(i) **Ordnance Survey Map (Scale of 1:10,560, ie a six inch map)**

Applicants must certify and date all maps submitted, stating the area of foreshore involved in metric measurements (i.e. hectares or square kilometres etc) with the area involved clearly delineated in red thereon.



(ii) **British Admiralty Chart (largest available scale)**



(iii) **Decision of planning authority or An Bord Pleanála under Planning Acts (Required)**

Developments on the foreshore require planning permission in addition to a Foreshore Lease/Licence/Permission. All Foreshore Leases, Licences and Permissions are without prejudice to the powers of the local planning authority. Applicants should, therefore, consult initially with the local planning authority regarding their proposal.



(iv) **Copy of licence under Section 4 of Local Government Water Pollution Act, 1977**



(v) **Environmental Impact Statement**



(vi) **Drawings of the structures to be used and/or layout**



(vii) **Copy of any correspondence with the Department of the Environment, Heritage and Local Government (Heritage and Planning Division)**



(viii) **Certified copy of Company's Memorandum and Articles of Association (Only one copy is required)**



(ix) **Certificate of Incorporation of a Limited Liability Company/ Rule Book/Constitution for a Club or Co-Operative Society as appropriate**



(x) **Other (specify) \_\_\_\_\_**

(Note: It may not be necessary to include all of the above documents please refer to the accompanying "Guidance Notes".

4. **Details of any previous Leases/Licences/Permissions received by the applicant for this or any adjoining sites (if appropriate)**

(i) **Date of Lease/Licence/Permission** \_\_\_\_\_

(ii) **Reference number(s)** \_\_\_\_\_



5. Is all or any part of the Foreshore (the subject of this application) in private ownership?  
(This search should be carried out in the Registry of Deeds and Land Registry and copies of results, including where appropriate, folio maps should be included).

If yes, please provide details of ownership.

It is in the ownership of Shannon Foynes Port

Have adjacent land owners, whose properties may be affected by these works been consulted?  
Please provide details/permissions as appropriate.

N/A

6. Employment Implications (if any)

There will be employment generated through the construction of the terminal, and thereafter in its operation

7. Capital cost of proposed works (€ - Euro) 40m

8. Do the proposed works involve the draw down of European Union or State funding?  
No

If "Yes" give details, including any time restrictions, etc. applying

9. Do the proposed works provide for public use, restricted use or strictly private use? (give details)

Strictly for the private use of the terminal

**10. Are there public health/safety implications arising from the proposed works? (e.g. effluent disposal, removal of derelict or dangerous structures etc.)**

During construction of the outfall the location will be taken in charge by the project contractor, and strict H+S guidelines enforced to ensure minimal risk to the public and to construction personnel. The material being discharged is subject to a discharge licence. This has been passed by the Environmental Section of the local authority, who have no issue with the quality of the effluent and do not consider it to be a risk.

**10a. Are there public navigational safety implications arising from the proposed works?**

No

**1. What marine activity is there in the area?**

The commercial Port of Foynes is adjacent, but does not impinge on the outfall area

**2. How will the marine activity be affected by the proposed works?**

N/A

**3. What mitigating measures will be put in place?**

N/A

**4. How will the proposed works affect Marine Navigation in the future?**

N/A

**11. Will the works involve the storage and/or disposal of waste?**

Yes

**If “Yes” please give details of the type of waste and the proposed method of storage and/or disposal (including location)**

The water discharged through the sewer outfall is first passed through a treatment system and is of a high quality. A discharge licence is in place for this material. The discharge from the storm network is first passed through a petrol interceptor and is of high quality

*\*Certain developments are subject to the European Communities (Environmental Impact Assessment) Regulations, 1989 to 1999. It is the responsibility of the applicant to consult and comply with these Regulations. Where the relevant threshold in the Regulations is exceeded an application for permission under the Foreshore Acts must include an Environmental Impact Statement (EIS). Applicants are encouraged to seek the Department’s opinion at the scoping stage of the EIS.*

*An appraisal of the environmental effects of a development below the threshold must be submitted by the applicant to allow the Minister to decide whether it is likely to have significant effects on the environment. Where the decision is “yes” an EIS is mandatory.*

*In the case of developments on foreshore for, by or on behalf of a Local Authority where an EIS is required, applications should be made to An Bord Pleanála under Part XV, Planning and Development Act, 2000. 10 copies of any applications made under this Act must be sent to this Department at the time of application to An Bord Pleanála.*

*Note: While every effort will be made to deal promptly with applications, priority will be given to dealing with applications involving public infrastructure, public health, public use and those having employment implications.*

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**Incorrectly completed or incomplete application forms cannot be processed and will be returned.**