



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 paid in recognition of the rights and interests of the State in the foreshore concerned, hereby authorises TechWorks Marine Ltd, Pottery Road Enterprise Zone, Pottery Road, Dun Laoghaire, Co Dublin, A96 K571 (hereinafter referred to as “the Licensee”), to use and occupy that part of the foreshore on the seabed off the coast of Valentia Island for the purpose of the deployment of 3 no. Acoustic Doppler Current Profiler (ADCPs) for a duration of 35 days to collect data on current, speed, and direction at each location. This data will be used to validate a hydrodynamic model being developed for Irish Water for the assessments of impacts on shellfish waters by wastewater treatment systems.

The Licence is granted on the condition that:

1. This Licence shall remain in force for the term of 2 years.
2. The Licensee shall pay to the Minister the sum of [REDACTED] on the signing hereof.
3. The Licensee shall use that part of the foreshore as shown on Map Titled: Foreshore Licence Map, Drawing No. FS_VI_001_Rev1, date: 24/03/2020, the subject matter of this licence, for the purposes as outlined in the application and for no other purposes whatsoever.
4. The Licensee shall ensure that only 3 no. ADCPs are placed at the locations marked ADCP1, ADCP2, and ADCP5 on Map Titled: Foreshore Licence Map, Drawing No. FS_VI_001_Rev1, date: 19/03/2020. No ADCPs shall be placed at the locations marked ADCP3 and ADCP4.
5. The Licensee shall ensure that the works are carried out and completed in accordance with the plans and particulars lodged with the application.
6. The Licensee shall notify the Department of Housing, Planning, and Local Government at least 14 days in advance of the commencement of the works on the foreshore.
7. The Licensee shall ensure that NPWS guidance document the Guidance to Manage the Risk to Marine Mammals from Man-made Sound Sources in Irish Waters is adhered to at all times.
8. Prior to deployment, the Licensee shall liaise with the relevant harbour authorities whose jurisdiction may be impacted by such deployment to agree matters regarding the location of marker buoys and possible impacts on navigational safety.
9. The Licensee shall consult with the Irish Coast Guard to provide location information of marker buoys in order to avoid the possibility of obstruction/interference during possible search and rescue operations.





10. 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.
11. The licensee shall indemnify and keep indemnified the State and 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 activity or in the exercise of the permission hereby granted.
12. 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.
13. 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.
14. 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.
15. Any notice to be given by the Minister may be transmitted through the Post Office addressed to the Licensee as its last known address.
16. 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 and Local Government.

Dated this 31st day of August, 2021

A handwritten signature in black ink, appearing to read 'Nina Murray', located above a horizontal line.

Nina Murray

For the Minister for Housing, Local Government and Heritage
An Officer authorised for this purpose

