



Comhshaol, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government



LICENCE UNDER SECTION 3 OF THE FORESHORE ACT, 1933

The Minister for the Environment, Community 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 Donegal County Council (hereinafter referred to as “the Licensee”), to use and occupy that part of the foreshore, delineated in red on Drawing No 202 Rev C, dated September 2014, at Teelin Pier, Teelin, Co. Donegal, for the seasonal installation of a floating pontoon and access gangway at Teelin Pier, Co. Donegal.

The licence shall commence on 1st May 2016 for a term of 5 years.

The Licence is granted on the condition that:

1. The Licensee shall use that part of the foreshore at Teelin Pier, Teelin, Co. Donegal, the subject area of this licence, for the purposes as outlined in the application and for no other purpose whatsoever.
2. The works shall be carried out within the area delineated in red on Drawing No 202 Rev C, dated September 2014 and annexed hereto.
3. The works shall be conducted in accordance with the application submitted to, and approved by, the Minister.
4. The Licensee shall at all times during the continuance of this Licence ensure that the works are conducted in a manner that is to the satisfaction of the Minister and that it will not be injurious to navigation, the adjacent lands or the public interest.
5. The Licensee shall ensure that the minimum area of foreshore necessary for the works is utilised, so as to reduce the impact of the proposed works/activity.
6. The Licensee shall schedule the works so as to minimise disruption and inconvenience for other users of the foreshore.
7. The Licensee shall notify the UK Hydrographic Office, Admiralty Way, Taunton, Somerset, TA1 2DN, UK of the location and nature of the development for updating of nautical charts and other nautical publications.
8. The Licensee shall pay to the Minister the sum of [REDACTED] on the signing hereof.

9. 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 works or in the exercise of the permission hereby granted.
10. 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.
11. 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.
12. 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.
13. 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 condition that:-

1. The Licensee shall use that part of the Foreshore, the subject matter of this licence, for the purposes and for the duration i.e. 1st May – 31st September inclusive in each year for which the Licence remains valid, as outlined in the application and for no other purposes whatsoever.
2. A site specific Method Statement and Risk Assessment for the placement of the pontoon and gangway shall be prepared by the Licensee and submitted to Department of the Environment, Community and Local Government for approval prior to the placement of the said pontoon and access gangway.
3. The Licensee shall notify the Department of the Environment, Community and Local Government at least 14 days in advance of the installation of the gangway and pontoon.
4. Safe control, berthing, navigation (access to and egress from), and management of the pontoon facility shall be the responsibility of the Licensee.
5. The Licensee shall ensure that security control measures including signage are put in place to prevent unauthorised public access/encroachment at the facility.
6. The Licensee shall ensure that adequate litter collection facilities are provided to collect all litter and disposal of all litter shall be to a licensed waste disposal site in accordance with the relevant waste disposal legislation.

7. The Licensee shall ensure that at the end of the permitted time period, as specified at Condition 1 above, the foreshore shall be returned to its original condition with the complete removal of all temporary pontoons, gangway and all associated sinker blocks/anchors/chains. Any storage or stockpiling of these structures on the foreshore post removal is strictly prohibited
8. The Licensee shall ensure that there is no unnecessary disruption to the continued operation of on-going fisheries interests and any other legitimate uses /users of the existing facilities at Teelin Pier.
9. All works shall be carried out in accordance with relevant Health and Safety legislation.
10. The Licensee shall arrange for the publication of a local marine notice. This local marine notice shall give a general description of operations and approximate dates of commencement and completion. An advertisement in a locally read newspaper shall suffice.
11. In order for charts and nautical publications to be updated the Licensee shall inform the British Admiralty Hydrographic Office at Taunton, UK of the location and nature of the works.
12. The pontoon shall be suitably illuminated at all times.
13. The Licensee shall apply to the Commissioners of Irish Lights for sanction of new aids to navigation and / or alteration to existing aids to navigation.

Dated this day of February, 2016

Roger Harrington

For the Minister for Environment, Community and
Local Government

An Officer authorised in this behalf by the said
Minister.