



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



LICENCE UNDER SECTION 3(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, as amended, and in consideration of the sum of one hundred and twenty seven euro (€127) which has been paid in recognition of the rights and interests of the State in the foreshore concerned, hereby authorises Asdee Race Committee, Glanawillian, Asdee, Listowel, Co. Kerry (hereinafter referred to as "the Licensee"), to use and occupy that part of the foreshore at Littor Beach, Asdee, Listowel, Co. Kerry for the purpose of holding a one day horse and pony race meeting.

The Licence is granted on condition that:

1. The Licensee shall indemnify and keep indemnified the State and the Minister for Environment, Community 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 event or in the exercise of the permission hereby granted.
2. The Licensee shall pay to the Minister the sum of €127.00 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 event site is utilised to reduce the temporary impact from the proposed event.
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and upon determination of such notice the Licence and permission hereby granted shall be deemed to be revoked and withdrawn without any liability for the payment of compensation by the Minister to the Licensee.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 condition that:

8. This licence shall have effect on the 4 October 2015 only.
9. Documentary evidence confirming insurance cover is in place for the event.
10. A site specific safety plan shall be prepared and necessary precautions shall be taken in conjunction with Kerry County Council and An Garda Síochána.
11. A traffic management plan shall be agreed between the organisers and An Garda Síochána and a copy of the plan shall be submitted to the Senior Engineer of Kerry County Council in advance of the event.
12. No vehicle shall be allowed onto the foreshore except for emergency vehicles if required.
13. No bookmakers, amusements or traders shall operate on the foreshore.
14. No ponies other than those being used in connection with the race meeting shall be allowed onto the foreshore.
15. The area to be used for the pony racing event shall be fully and appropriately cordoned off to ensure the safety of the participants and the general public. The cordon shall be erected and removed on the day of the event.
16. Temporary signs shall be erected at the main access points to the beach notifying the general public of the event and any restrictions which apply on the foreshore. All signs shall be removed, after the cordons are removed, on the day of the event.
17. The Licensee shall comply with all matters/conditions as set out by An Garda Síochána.
18. The foreshore shall be returned to its original state immediately after the event, ahead of the incoming tide.
19. The Licensee shall comply with all instructions/conditions set out by Kerry County Council as long as any instructions do not contradict these conditions. In the event of conflicting instructions/conditions clarification should be sought from the Department of the Environment, Community and Local Government.
20. Adequate litter collection facilities shall be provided to collect all litter. These facilities shall be removed, immediately after the event, to a suitably licensed waste disposal site.
21. No maltreatment of or cruelty to participating animals shall arise as a result of these races.

22. The Licensee shall arrange to have a duly qualified Veterinary Surgeon in attendance in an official capacity for so long as any ponies are present on the foreshore on the day in question.
23. No ponies shall be allowed on to the sand dunes.
24. The licensee shall ensure that applicable beach bye-laws are complied with.
25. The Licensee shall indemnify and keep indemnified the State and the Minister for the Environment, Community and Local Government, 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 event or in the exercise of the permission hereby granted.

Signed and dated this 24 day of September 2015
by


Lorraine O'Donoghue, Principal Officer

Department of the Environment, Community &
Local Government

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

