An Roinn Tithíochta, Pleanála agus Rialtais Áitiúil
Department of Housing, Planning and Local Government

For Office Use

Ref. No._____

Application date:_____

Date of receipt. _____

Date Validated:_____

APPLICATION FOR A LEASE/LICENCE/CONSENT UNDER THE FORESHORE ACT 1933 (AS AMENDED)

- **Applications for Offshore renewable energy (ORE) projects should use an ORE specific form.**
- **Please complete the form electronically. Type details in the boxes provided, space will expand as you type.**
- **The enclosures checklist should also be completed**
- **Tá an leagan Gaeilge den fhoirm seo ar fáil ar iarratas.**

IT IS IMPORTANT TO NOTE THAT A CHANGE IN APPLICANT NAME WILL REQUIRE A NEW APPLICATION.

Applicant Address/Contact Details:

Full Name of Applicant (not Agent): [redacted]
Company/Organisation: Shannon Foynes Port Company
Address: Harbour Office, Mill House, Foynes, Co. Limerick
Eircode: V94 R232
Phone No: [redacted]
E-mail address: [redacted]

Agent (if any) Address/Contact Details:

Person/Agent acting on behalf of the Applicant: [redacted]
Company: RPS
Address: Elmwood House, 74 Boucher Road, Belfast, N. Ireland
Eircode: BT12 6RZ
Phone No: [redacted]
E-mail address: [redacted]

Applicant's Legal Advisor:

Name: [redacted]
Address: Harrison O'Dowd Solicitors, 98 Henry Street, Limerick
Eircode: V94 XT5F
Phone No: [redacted]
E-mail address: [redacted]

Part 1: Proposal Details (Attach additional documents as required)

1.1	**Description of proposed works/activity.** The proposed works involves the construction of an open pile jetty structure to facilitate the connection of the existing East Jetty and West Quay structures located in the Port of Foynes, providing an extension to the length of the existing berths in the Port. The works will comprise the construction of 116.5m long open pile structure, with a 25m wide suspended concrete deck. A reinforced concrete transition slab will be constructed to provide access on to the reclamation behind existing Berth 5, which is ongoing as part of a separate permitted project (Foreshore file ref: MS51/10/135). Quay furniture such as bollards, toe rails and fenders will be provided, as well as an appropriate drainage system and lighting. In addition to this, the existing small craft landing pontoon located behind (shoreside) the proposed jetty extension is to be removed and relocated to a suitable location identified along the western side of the West Quay. Pontoon locating piles shall be installed and a landing structure shall be provided at the new location to facilitate the installation of the relocated pontoon and to provide access onto the existing West Quay.

1.2 **Describe the nature and scale of any structure to be erected on the foreshore. Is the structure proposed to be temporary or permanent?**

Jetty Extension Structure

The proposed structure is an open pile structure with a concrete deck. Circa 69nr 1.2mm diameter steel tubular piles shall be installed between the existing east Jetty and West Quay to support a reinforced concrete deck structure (formed of both precast concrete elements and insitu concrete).

The proposed jetty extension shall be 116.5m long and 25m wide, and shall be a permanent structure.

A reinforced concrete transition slab shall be constructed to provide access from the jetty extension structure onto the reclaimed area behind East Jetty, which is ongoing as part of a separate permitted project (Foreshore file ref: MS51/10/135).

Pontoon Relocation

The existing small craft landing pontoon and walkway shall be removed from their current position between the existing East Jetty and West Quay. These shall be relocated to an area identified along the western side of West Quay.

2nr pontoon locating piles shall be installed at this location to facilitate the installation of the floating pontoon. A landing structure shall also be constructed to facilitate the installation of the walkway and to provide access onto West Quay.

1.3 **Indicative timing of the works/activity: (i) Start date (ii) Duration (iii) Any other information relevant to timing.**

(i) Anticipated commencement of construction- Early Q1 2019

(ii) Estimated duration of construction – approx. 12 months

1.4 **Primary usage for proposed development (please tick)**

Use	
Industrial	
Commercial	✓
Within Fishery Harbour Centre	
Sea Fisheries	
Local Authority	
Community/Co Op scheme	
Other(specify)	✓

- Pontoon for private third party use

1.5	**Do the proposed works provide for public use, commercial use, restricted use or strictly private use? Provide Details** The works are strictly for private use by the Applicant. Security is maintained at each entrance to the Port. The anticipated operations at the proposed jetty extension shall be as per the existing port operations currently ongoing on East Jetty and West Quay. This is typically for the berthing of commercial cargo vessels, and handling and storage of bulk cargoes imported and exported by shipment through the Port. Typical cargo types include dry bulk, break bulk, project cargo and liquids. The pontoon to be relocated is currently used by a third party who lives on Foynes Island. Access will be provided for this third party at the proposed new location along the western side of West Quay.
1.6	**Might the proposed works restrict public use/enjoyment of the foreshore? Provide details.** No. Area of proposed development is within secure port area, where public access is not permitted.
1.7	**Has the applicant held or does the applicant hold any previous Foreshore Licences, Leases or applications over the area sought or over any other area including pending applications? (Give details including Department's file reference number(s)).** Details of previous Foreshore Leases obtained as below: 20th June 1933 - West Quay (MS 51/10/38) 13th January 1988 - West Jetty Extension (MS 51/10/118) 16th January 2015 - East Jetty Reclamation (MS 51/10/135)
1.8	**Status of planning permission application: Pending/granted/not required.** **Consent Authority:** An Bord Pleanála **Reference Number:** To be confirmed by ABP **Status:** Pending **(Please provide copies of consents granted)**

1.9	**Are any other consents required for this proposal? Please detail.** **Consent type** **Consent Authority:** **Reference Number:** **Status of application:** **(Please provide copies of consents granted)** N/A
1.10	**Employment Implications (if any)** On average, it is anticipated that temporary employment will be provided for approx. 15nr personnel during the construction phase. In the long-term, there could be some increase in employment from the potential increase in port operations created by the jetty extension.
1.11	**Capital cost of proposed works (€ - Euro)** Estimated cost approximately €7M- €8M.
1.12	**Do the proposed works involve the draw down of European Union or State funding?** **If "Yes" give details, including any time restrictions, etc. applying** Yes. The Applicant has secured European funding under The Connecting Europe Facility (CEF) – Transport Sector. Grant Agreement No. INEA/CEF/TRANM2017/1485866. The Grant Agreement start date for the proposed work is 01/06/2018 with an indicative end date of 01/03/2021.

Part 2: Proposed Site. (Attach additional documents as required)

2.1	**County:** Co. Limerick
2.2	**Location name and nearest townland name:** Foynes

2.3	**Geographic co-ordinates of the area under application in degrees minutes and seconds WGS84 for offshore developments and where the area can also be identified on the Ordnance Survey map and /or is connected to the seashore/mainland , specify Ordnance Survey map no and Irish National Grid co-ordinates** M0679-RPS-00-FS-DR-C-0004 – Foreshore Lease Map 1 QP1 – 125227.394mE, 151874.325mN QP2 – 125251.683mE, 151823.222mN QP3 – 125125.298mE, 151763.150mN QP4 – 125101.008mE, 151814.253mN M0679-RPS-00-FS-DR-C-0004 – Foreshore Lease Map 2 PP1 – 124841.733mE, 151850.382mN PP2 – 124830.668mE, 151825.713mN PP3 – 124823.183mE, 151829.070mN PP4 – 124834.249mE, 151853.739mN
2.4	**Please indicate the size of the Foreshore area (Ha^2) or (M2) or (KM2)** Area A (Jetty Extension)= 0.361ha Area B (Pontoon Relocation)=0.0071ha
2.5	**If offshore please indicate distance from shore (Km):** N/A
2.6	**Is any of the foreshore in the proposed site in private ownership? If yes please provide documentary evidence of same (e.g. folio)** No. Foreshore is adjacent to existing SFPC jetties. Refer to drawing M0679-RPS-00-FS-DR-C-0006 – Comparison of Existing Lease Areas to New Lease Areas
2.7	**Any other site details considered relevant:** N/A

Part 3. Maps and Drawings, Please refer to Guidance on map and drawing requirements.

3.1	**Site location map attached? Please include reference no(s).** M0679-RPS-00-FS-DR-C-0001 Site Location Map
3.2	**Foreshore Lease/Licence map attached? Please include reference no(s).** M0679-RPS-00-FS-DR-C-0003 Foreshore Lease Map M0679-RPS-00-FS-DR-C-0004 Foreshore Lease Map 1 M0679-RPS-00-FS-DR-C-0005 Foreshore Lease Map 2 M0679-RPS-00-FS-DR-C-0006 Comparison of Existing Lease Areas to New Lease Areas
3.3	**Drawings of structures to be used and or layout (if required) attached? Please detail and include reference no(s).** M0679-RPS-00-FS-DR-C-0007 Quay General Arrangement M0679-RPS-00-FS-DR-C-0008 Quay Sections M0679-RPS-00-FS-DR-C-0009 Proposed Pontoon Details
3.4	**Admiralty Chart attached?** M0679-RPS-00-FS-DR-C-0002 Admiralty Chart Showing Boundaries
3.5	**Other maps/drawings attached ?– please detail and include reference numbers** N/A

Part 4: Pre- application consultations

4.1	**Describe briefly any consultations undertaken with the following bodies:** • **National Parks & Wildlife Service (NPWS) of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs** • **National Monuments Service (NMS) of the Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs** • **Inland Fisheries Ireland** • **Sea Fisheries Protection Authority** • **Marine Institute** • **Marine Survey Office** **Please also provide copies of correspondence.** During the preparation of the planning application, NPWS (DAHG), DAFM, IFI, NMS and Marine Institute were consulted as part of the statutory EIAR scoping process to inform the EIAR. A copy of the consultation correspondence is included in Chapter 4 (Volume 1) and Appendix 4 (Volume 2) of the EIAR.
4.2	**Describe briefly any consultations undertaken with other relevant authorities (e.g. Local Authority, Port/Harbour authority etc) or State Agencies.** The applicant had a pre-application meeting with Limerick City & County Council, including members of the planning, heritage, water and transport teams. The applicant also had a meeting with the NPWS in advance of the submission of their consultation response.
4.3	**Describe any consultations undertaken to date with other foreshore users.** N/A- Foreshore is adjacent to existing SFPC operational jetties.
4.4	**Describe any likely interactions with activities of the public or other foreshore users during the construction and operational phases of the works/activities (e.g. fishing, aquaculture, sailing, and surfing swimming, walking). Describe any measures proposed to minimise inconvenience to other users.** Delivery of materials to site during construction phase will use public roads, as shown in Figure 13.40 of Chapter 13 of the EIAR. As detailed in Chapter 13, a Construction Traffic Management Plan will be developed and implemented by the Main Contractor, detailing the required management and mitigation measures. No interaction is envisaged with foreshore users. Area of proposed development is within secure operational port area, where public access is not permitted.

4.5	**Have adjacent land owners, whose properties may be affected by these works been consulted? Please provide details/permissions as appropriate.** N/A- proposed works are within secure port area, owned and operated by the Applicant. A letter of consent has been obtained from the Department of Housing, Planning and Local Government. This is enclosed.

Part 5: Environmental Considerations
(your consultations with National Parks and Wildlife Service and National Monuments Service may inform your answers. Attach additional reports as required and mark under the R column)

www.epa.ie/downloads/advice/ea/guidelines/

www.environ.ie/en/DevelopmentHousing/PlanningDevelopment/EnvironmentalAssessment/

http://www.npws.ie/protectedsites/appropriateassessment/

http://webgis.npws.ie/npwsviewer/

	Environmental legislative requirements	Yes	No	R
5.1	**Is an Environmental Impact Statement required for this proposal?**	✓		
5.2	**Is a Natura Impact Statement required for this proposal?**	✓		
5.3	**Is the area within or adjacent to a NHA, pNHA, SAC, SPA, or National Park?** **Specify site names and code(s).** The proposed development is within two European Sites: (1) The Lower River Shannon SAC (Site Code 002165) (2) The River Shannon and River Fergus Estuaries SPA (Site Code 004077)	✓		

5.4	**Describe any other projects or plans for the area, anticipated or developed, that in combination with this proposal, may have a significant effect on a Natura 2000 site: Please list with planning reference numbers (where available).** Other projects were assessed as set out in Section 5.1.3 of the Natura Impact Statement. One such project was the Reclamation of Foreshore behind the existing East Jetty (Planning Ref: 12/212), which is located adjacent to the proposed jetty extension. These assessments concluded that there are no other projects or plans for the area, anticipated or developed, that in combination with this proposal may have a significant effect on the Natura 2000 sites listed above.			✓

	Environmental Considerations	**Yes**	**No**	**R**
5.5	**Will the proposal have any potential environmental impacts? If yes, please describe** Please refer to the attached Environmental Impact Assessment Report.	✓		
5.6	**Are you proposing any measures to mitigate the potential environmental impacts? If yes, please describe** Please refer to the attached Environmental Impact Assessment Report and accompanying CEMP.	✓		
5.7	**Are there public health/safety implications arising from the proposed works? (e.g. effluent disposal, removal of derelict or dangerous structures etc.) If yes, please describe** N/A		✓	

5.8	**Will the works involve the storage and/or disposal of waste? If "Yes" please give details of the type of waste and the proposed method of storage and/or disposal (including location)** Yes. Localised demolition of the existing West Quay and East Jetty concrete deck structures will be required to facilitate a "tie-in" connection with the proposed jetty structure. This shall generate some construction waste during the works, which shall be suitably disposed of offsite.	✓		
5.9	**Any other Environmental Considerations? If yes, please specify.** Please refer to the attached Environmental Impact Assessment Report.			✓

	Built Heritage Considerations	**Yes**	**No**	**R**
5.10	**Does the area contain an archaeological site or feature? If yes, please specify.**		✓	
5.11	**Does the area contain or adjoin a listed archaeological site or monument? If yes, please specify.**		✓	
5.12	**Will the proposal have any potential impacts on the archaeological integrity of the site? If yes please describe**		✓	
5.13	**Are you proposing any measures to mitigate potential archaeological impacts? If yes, please describe?** Chapter 14 of the EIAR outlines mitigation measures to avoid any potential archaeological impacts by the proposed works. These include: - Archaeological monitoring of any ground disturbance during the construction phase - Archaeological monitoring of the pontoon gangway installation.	✓		

Part 6: Navigational Safety Considerations. (Your consultations with relevant stakeholders may inform your answers. Attach additional documents as required and mark under the R column)

	Navigational Safety Considerations.	Yes	No	R
6.1	**Are there public navigational safety implications arising from the proposed works?**		✓	
6.2	**What marine activity is there in the area?** Refer to Chapter 2 of the EIAR for details of existing port operations.			✓
6.3	**How will the marine activity be affected by the proposed works?** Refer to Chapter 2 of the EIAR for details of existing port operations.			✓
6.4	**What mitigating measures will be put in place?** N/A			✓
6.5	**How will the proposed works affect Marine Navigation in the future?** N/A			✓

Part 7: Fishing/Aquaculture considerations (your consultations with IFI, SFPA, DAFM may inform your answers. Attach additional documents as required and mark under the R column)

	Fishing/Aquaculture considerations	Yes	No	R
7.1	**Is the proposal located in proximity to any of the following:** • **aquaculture operation** • **designated Shellfish Growing Waters** • **fish spawning ground** • **other sensitive fisheries location** **Please Illustrate on appropriate chart including distance in Km.** Drawings attached in Appendix 7.5 (Volume 2) of the EIAR, indicate the location of the nearby Aquaculture Sites.	✓		
7.2	**Are there other potential impacts of the proposal on fishing/aquaculture in the area? If yes, please describe.** Refer to Chapter 7 of the EIAR for details.	✓		
7.3	**Are there any measures proposed to mitigate potential impacts on fisheries or aquaculture? If yes, please describe.** Refer to Chapter 7.3.5 of the EIAR for details.	✓		

Part 8 – Additional information

8.1	**Please detail any additional relevant information.** N/A

Declaration and Consent:

The details provided here are correct to the best of my knowledge.

I understand that no works will be commenced, by me or my agents on the proposed site, without the prior written consent of the Minister.

I give consent to the Minister and his servants to copy this application and to make it available for inspection and copying by the public. This consent relates to this application, to any further information, or submission provided by me or on my behalf and to the publication of the licence document.

Signature of Applicant (or his or her Agent):

[redacted]

Name of above Signatory (block letters):

[redacted]

Position Held:

[redacted]

Date: 08.05.18

Return completed applications to:

Marine Planning and Foreshore Section
Department of Housing, Planning and Local Government
Newtown Road
Wexford
Y35 AP90

Enquiries to: Foreshore@housing.gov.ie (Other contact details to be included in Guidance materials)
Email a copy of application documents: Foreshore@housing.gov.ie

Enclosures Checklist

One hard copy of every document is required unless otherwise stated. Electronic versions of documentation must also be provided in searchable PDF format (no single file to be greater than 30mb) so that the Department can make them available on its website.

Item No.	Description	No. of copies Required	
1	**Application Form.** With original signature	4	✓
2	**Mapping (see guidelines document)** (i) Site Location map (ii)Foreshore Lease/licence map	 4 4	 ✓ ✓
3	**British Admiralty Chart** (largest available scale)	1	✓
4	**Drawings** of the structures to be used and/or layout	4	✓
5	**Pre-application correspondence with stakeholders.**	1	✓
6	**Other statutory permissions:** (i) Planning permission (ii) Effluent Discharge Licence (iii) Other consent (Please specify)	 1 1 1	 N/A
7	**Company documentation (1):** Certified copy of the Company's Memorandum and Articles of Association	1	✓
8	**Company documentation (2)** Certificate of Incorporation of a Limited Liability, or Company/Rule Book/Constitution for a Club or Co-Operative Society as appropriate	1	✓
9	**Environmental Impact Statement (EIS).** (i) Hard copy (ii) CDs	 5 25	 ✓ ✓
10	**Natura Impact Statement (NIS)** (i) Hard copy (ii) CDs	 5 4	 ✓ ✓
11	**Property-related owner permissions/wayleaves** (i) Folio – (or other evidence of private ownership) (ii) Wayleave/consent from other property owners (iii) Other (Please specify)	 2 1 1	 ✓ n/a n/a
12	**Other – Please specify**	1	n/a