Comhshaol, Oidhreacht agus Rialtas Áitiúil
Environment, Heritage and Local Government

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
JAMES LYNCH

B. Address(es) of Applicant(s) in full
SAMMY'S ROCK
FENIT, Co. KERRY

Telephone 066/7136432 Mobile [redacted]

Fax _____ E-mail KERRYWATERSPORTS@HOTMAIL.COM

RSI/PPS No:/CRO No: [redacted]

C. Signature of Applicant
James Lynch Date: 20th May 2011
(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
As above

Address _____

Telephone _____ Mobile _____
Fax _____ E-mail _____

** Legislation ApplicableForeshore 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)

MURPHY & Co, ASHE ST., TRALEE, Co. KERRY

Telephone 066/7122499 **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).

REMOVAL OF SEAWEED FROM THE AREA MARKED RED BOUNDARY, BY MEANS OF SUSTAINABLE HAND HARVESTING

(B) A Statement of reason for the works

TO PRODUCE A DRY SEAWEED PRODUCT FOR SALE.

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 TRALEE / BALLYHEIGUE BAY

(ii) County KERRY

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

(iv) OS Map No. _____

(v) Size (hectares) 15·9

(vi) Local Authority _____

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** Nov. 2010.

(ii) **Reference number(s)** MS 51/9/557

5. **Is all or any part of the Foreshore (the subject of this application) in private ownership?** No.
(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.

_____

_____

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

_____

_____

6. **Employment Implications (if any)** SELF + ONE OTHER PART-TIME

_____

7. **Capital cost of proposed works (€ - Euro)** N/A

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)**
PUBLIC USE

_____

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

No

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

No

1. What marine activity is there in the area?

Surfing, Swimming, Leisure Fishing.

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

Not at all.

3. What mitigating measures will be put in place?

N/A.

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

Nil.

11. Will the works involve the storage and/or disposal of waste?
No
If "Yes" please give details of the type of waste and the proposed method of storage and/or disposal (including location)

**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.