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, hereby authorises James Lynch, Sammy's Rock, Fenit, Tralee, Co. Kerry to carry out hand-harvesting of seaweed on the foreshore in Ballyheigue Bay.

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 works or in the exercise of the permission hereby granted.

2. The Licensee shall pay to the Minister the sum of [redacted] on the execution hereof in recognition of the rights and interests of the State in the foreshore concerned.

3. The Licensee shall use that part of the foreshore, the subject matter of this Licence, for the purpose of undertaking hand-harvesting of seaweed on the foreshore in Ballyheigue Bay and for no other purpose whatsoever.

4. The Licensee shall ensure that the minimum area of access routes to the works site is utilised to reduce the temporary impact from the proposed works.

5. 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and upon determination of such notice the Licence and permission hereby granted shall be deemed to be revoked and withdrawn without any liability for the payment of compensation by the Minister to the Licensee.

6. 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.

7. 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.

8. 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:

9. This Licence shall remain valid until April 2017.

10. The Licensee shall use that part of the foreshore, the subject matter of this Licence, for the purpose of undertaking hand-harvesting of seaweed on the foreshore in Ballyheigue Bay and for no other purpose whatsoever.

11. Seaweed shall only be harvested from within the area outlined in red on the attached map entitled Foreshore Licence Map and Drawing. No.: JL –SW- OO2 Rev.: C.

12. The Licensee shall only harvest the following species and quantities of seaweed annually:

Species	Quantity (Kg)
Kelp (*Laminaria digitata*)	10,000
Wrack (*Fucus serratus*),	2,500
Carrageen(*Chondrus Crispus*)	2,000
Dillisk (*Palmaria palmata*).	2,000

13. Access and egress to and from the site shall be solely from points marked in blue on attached map Foreshore Licence Map and Drawing. No.: JL –SW- OO2 Rev.: C.

14. Access to the foreshore across private lands shall be in accordance with a public right of way or with the land owners consent.

15. Public access to the designated licenced area shall not be restricted.

16. No machinery or equipment shall be left unattended on the foreshore.

17. The use of mechanical methods of harvesting is prohibited.

18. No structures shall be placed on the foreshore. No materials or harvested seaweed shall be stored on the foreshore, nor shall the foreshore or any beach material be interfered with in anyway.

19. No sorting of seaweed shall take place on the shore.

20. No material shall be disposed of back into the marine/foreshore

George Burke
Principal

An officer authorised in this behalf by the said Minister
Dated this day of April 2012