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

COASTAL ZONE MANAGEMENT DIVISION
3 JAN 2008
DEPT. OF AGRICULTURE, FISHERIES & FOOD

1. **A. Name(s) of Applicant(s) in full**

SEAMUS O GRADY

B. Address(es) of Applicant(s) in full

FAhamore CASTLEGREGORY CO Kerry

Telephone 0667139257 **Mobile**

Fax **E-mail**

C. Signature of Applicant

Seamus O Grady. **Date:** 15/10/08

(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

N/A

Address

COASTAL ZONE MANAGEMENT DIVISION
13 JAN 2009
DEPT. OF AGRICULTURE, FISHERIES & FOOD

Telephone **Mobile**

Fax **E-mail**

** Legislation Applicable*
Foreshore 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)

Thomas J O Halloran
Ashe St. Tralee Co Kerry.

Telephone 7123377 **Fax** 7123024 **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).

See attached page

(B) A Statement of reason for the works

See attached page

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 Brandon Bay

(ii) County Kerry

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

(iv) OS Map No. _____

(v) Size (hectares) _____

(vi) Local Authority Kerry County Council

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)** N/A ☐
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** N/A ☐

(v) **Environmental Impact Statement** N/A ☐

(vi) **Drawings of the structures to be used and/or layout** N/A ☐

(vii) **Copy of any correspondence with the Department of the Environment, Heritage and Local Government (Heritage and Planning Division)** N/A ☐

(viii) **Certified copy of Company's Memorandum and Articles of Association (Only one copy is required)** N/A ☐

(ix) **Certificate of Incorporation of a Limited Liability Company/ Rule Book/Constitution for a Club or Co-Operative Society as appropriate** N/A ☐

(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** None

(ii) **Reference number(s)** —

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

Have adjacent land owners, whose properties may be affected by these works been consulted?
Please provide details/permissions as appropriate.
collection of seaweed will have no effect to adjacent LANDowners.

6. **Employment Implications (if any)** None

7. **Capital cost of proposed works (€ - Euro)** None

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)**

No works

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

NONE

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

NO

1. What marine activity is there in the area?

Manual Collection of Seaweed will not affect fishing or Marine activity

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

N/A

3. What mitigating measures will be put in place?

N/A

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

N/A

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)

N/A

**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.

Any additional Information

Please send completed application form to:
Foreshore Section
Coastal Zone Management Division
Department of Agriculture, Fisheries & Food
Building C, West Cork Technology Park, Clonakilty, Co. Cork

Tel: + 353 23 59500
LoCall: 1890 25 27 41
Fax: + 353 23 59508
E-mail: foreshore@agriculture.gov.ie

Incorrectly completed or incomplete application forms cannot be processed and will be returned.

During storms and periods of high winds several hundred tonnes of storm cast seaweeds (*Laminaria* and *Fucus* species) are washed up on Corralougha Strand, Brandon Bay, Co Kerry. This material is usually detached by wind and wave actions during storms and periods of inclement weather, the material comes from large, localised kelp beds that are extremely common in the Tralee Bay/Brandon Bay area. The quantity of material washed ashore in the Tralee Bay complex are has been such that Kerry County Council, have been forced to remove vast quantities of it from Ballybunion and Ballyheigue beaches, storm cast seaweeds have been deemed to be a nuisance or a public health problem due to loss of amenity spaces, widespread fouling of beaches and structures and the follow on issue of foul odours emanating from the decomposition process etc. It is my intention to apply for a foreshore licence to collect storm cast seaweeds from Corralougha Strand, I intend to remove as much material as practicable up to a limit of 4,000 tonnes annually. It is difficult to predict the quantity and type of material that shall be harvested because the harvest is completely dependant on the natural destruction and deposition of seaweed during storms etc.

The area of foreshore applied for is adjacent to my home at Fahamore, Castlegregory, Co Kerry. There is suitable, safe access to the beach using a public way that has been in place for many years. I intend to consult Kerry County Council for safety and technical advice regarding the standard methods that they employ in order to collect seaweed. I intend to collect the seaweed manually from the shore, insofar as is possible. I have no intention of removing seaweeds that are attached to the marine substrate and that may still be viable for survival etc. The proposed removal of seaweed shall not involve carrying out any operations or works below the low water mark or the placement of any structures on the foreshore.

The proposed removal shall facilitate me to gather and sell this material to a wide range of seaweed processors around Ireland, there are several large scale seaweed processing plants located in Co.'s Kerry, Cork, Galway and Donegal and there are approximately 30 companies trading in seaweed products within Ireland.
I have already received several strong expressions of interest from companies and individuals who wish to process this material into various products etc. I am receiving advice from BIM regarding the commercial opportunities that may exist for storm cast seaweed both in Ireland and in Europe.

The foreshore licence application will come with the order area of Tralee Oyster Fisheries Society Ltd. This order allows for the dredging of a bed of native oysters. This activity is carried out in Tralee Bay while my application will be for Brandon Bay. It must be noted that the collection of seaweed form the foreshore will have no effect on the native oyster population or fishery.