

T05/591A



AQUACULTURE LICENCE



AQUACULTURE MARINE AQUATIC PLANTS/FISH FOOD LONGLINES



Wild Atlantic Sea Products Ltd
South Allihies
Allihies

Beara

Co. Cork

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T05/591A

AQUACULTURE LICENCE NO. XXXX

GRANTED UNDER THE FISHERIES (AMENDMENT) ACT 1997 (No. 23 of 1997)

The Minister for Agriculture, Food and the Marine (hereinafter referred to as the "Minister"), in exercise of the powers conferred on him by the Fisheries (Amendment) Act 1997 (No. 23 of 1997) (hereinafter referred to as the "Act"), hereby grants an Aquaculture Licence to:

Wild Atlantic Sea Products Ltd

South Allihies

Allihies

Beara

Co. Cork

(hereinafter referred to as the "Licences or the cultivator of seaweeds on a site adjacent to Bank Harbour, Castletownbere, Bank Pay Co. Cork, as specified in Schedule 1 attached (primes 1 T05/591A) and indicated by a red line on the attached map in accordance with the plans and drawing(s) in Schedule 2 attached as approved of by the Minister, subject to the and Regulations made under the Act and to the terms and condition set out to the attached pages.

This funculture Lice shall brain in force for a maximum period of XXXX (XX) year commencing XX XXXXXXXXX 20XX, provided for so long as the Foreshore License grante on XX XXXXXXXXX 20XX, under section 3(1) of the Foreshore Act 19.3 (200. 12 of 1933) in respect of the same site for the purpose referred to is in force.

A person authorised under Section 15(1) of the Ministers and Secretaries Act 1924 to authenticate the Seal of the Minister for Agriculture, Food and the Marine.

TERMS AND CONDITIONS APPLYING TO THIS AQUACULTURE LICENCE

1. Licensed Area

- 1.1. The area specified in *Schedule I* attached (18.75 hectares) (labelled T05/591A) and outlined in red on the map(s) in *Schedule I*.
- 1.2. The co-ordinates for the site are based on the Irish National Grid Co-ordinate System.

2. Species, Cultivation and Method Licensed

- 2.1. Species to be farmed: Alaria exculenta (Wipsed Relp), Laminaria digitata (Oarweed), Saccharina latissimi (Sugar Kelp) and repara palmata (Dulse).
- 2.2. Method: Longline Grid System subject to the seed, 'olant and/or deployment limits as may be specified in *Schedule* attached.

3. Infrastructure and Site Management

Indemnity

- 3.1. The Licensee shall indem if y and keep indemified the State, the Minister, his officers, servants or agents constant all actions, and damage, costs, expenses and any demands or claims however the ing in connection with the construction, maintenance or use of any structures appearance equipment or any other thing used in connection with the licensed operation in the licensed area or in the exercise of the rights manted upper the license and the Licensee shall take such steps as the Minister has specify a order to entire compliance with this condition.
- 3.2. The chery of maintenance and to possibility for the upkeep and safety of the site rests with the bursee.

Des. Arrangement and Mai renance of Structures

- 3.3. Licensee shall ensure that the equipment (including all flotation, mooring and anchoring device is placed within the licensed area only. Storage or placement of equipment or plants on the foreshore or seashore outside the licensed area is not permitted under any circumstances.
- 3.4. The Minister may direct as to the deployment of apparatus, including number or orientation of longlines and flotation devices and their colour, within the site.
- 3.5. The Licensee shall obtain the prior approval of the Minister to any proposed material change to the plan/drawings or equipment as approved being used during the licensing period as specified in Schedule 2 attached.
- 3.6. The Licensee shall at all times for the duration of the licence keep all equipment used for the purposes of the licensed operations in a good and proper state of repair and condition to the satisfaction of the Minister or other competent State authority.

3.7. The Licensee shall ensure that the ends of each longline in the licensed area legibly bear the Aquaculture Licence Number in an indelible weatherproof format.

Operational Conduct

- 3.8. The Licensee shall conduct its operations in a safe manner and with regard for other persons in the area and the environment and shall ensure that the operations are not injurious to adjacent lands or the public interest (including the environment) and do not interfere with navigation or other lawful activity in the vicinity of the licensed area, and shall comply with any lawful directions issued by the Minister and any other competent State authority in that regard.
- 3.9. The Licensee shall ensure that any aquaculture or that activity conducted under this licence does not adversely affect the integrit of the Natura 2000 network (if applicable) through the deterioration of natural dayingts and the habitats of species and/or through disturbance of the species for which the area has been designated in so far as such a disturbance may be significant in relation to the stated conservation objectives of the site concerned.
- 3.10. The Licensee shall ensure that best ctice employed to eep structures and netting clean at all times and any bion to g by alien invasive species shall be removed and disposed of in a responsible oner. In particular, in 'Natura 2000' sites care must be taken to the that any bion ling by alien invasive species will not pose a risk to the conse value features of the de. Measures to be undertaken are set out in the draft Manne Could practice prepared by Invasive Species Ireland and can be found on the west site as a p://invasivespeciesireland.com/.

Waste Managemen

3.11. The Licensee sould passe that the licensed and adjoining areas shall be kept clear of all a number structures (including apparatus, equipment and/or uncontained plants), waste product and predictional litter or debris and shall make provision for the prompt remove and predictional litter or debris and shall make provision for the prompt remove and predictional such material. If the Licensee refuses or fails do so, the Master may cause the said structures, apparatus, equipment or other that to be removed and the licensed area restored and shall be entitled to recover from a License as a simple contract debt in any court of competent jurisdiction all costs and expenses incurred by him in connection with the removal and restoration

Inspection

3.12. The licensed area and any equipment, structure, thing, or premises wherever situated used in connection with operations carried out in the licensed area shall be open for inspection at any time by an authorised person (within the meaning of section 292 of the Fisheries (Consolidation) Act 1959) (No. 14 of 1959) (as amended by the Fisheries Act 1980) (No. 1 of 1980), a Sea Fisheries Protection Officer (within the meaning of the Sea Fisheries and Maritime Jurisdiction Act 2006) (No. 8 of 2006) or any other person appointed in that regard by the Minister or other competent State authority.

- 3.13. The Licensee shall give all reasonable assistance to an authorised officer or a Sea Fisheries Protection Officer or any person duly appointed by any competent State authority to enable the person or officer enter, inspect, examine, measure and test the licensed area and any equipment, structure, thing or premises used in connection with the operations carried out in the licensed area and to take whatever samples may be deemed appropriate by that person or officer.
- 3.14. The Licensee shall keep and maintain in the State for inspection on demand by the Minister or a competent State authority, at all times, records of all operations including compliance monitoring and any required follow up action. These records shall be produced by the Licensee on demand by the Minister or other competent State authority and in any event not later than 24 hours from the making of that demand.
- 3.15. The Licensee shall furnish to the Minister or one sympetent State authority in the form and at the intervals determined by the Minister or other competent State authority, such information relating to heensed as may be required to determine compliance by the Licensee with the terms of the licence and applicable legislation.

4. Navigation and Safety

- 4.1. The Licensee shall ensure statutory sand or from the Commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights is in place prior to a semencement of the commissioners of Irish Lights in the commissioners of
- 4.2. The Licensee shall ensure that the site is marked in accordance with the requirement of both the Marine Survey Office and the Commissioners of Irish Lights as specific in the dule 3.

 The divisation may sing details also illustrated in Schedule 3.
- The License shall party with any specification requirement relating to vigational and flotation and mooring devices supporting/marking posts/poles, as recircle by the injuries or any other competent State authority.
- 4.4. Prior compaencement of operation the Licensee shall inform the UK Hydrographic Office at Taunton, of the location and nature of the site in order that charts and naturical publications can be updated. Tel: 00 44 1823337900 Fax: 00 44 1823 284077 Email sdr@ukho.gov.uk and the Licensee shall submit proof to the Department within 14 days of the date of this licence that the UK Hydrographic Office has been so informed.

5. Monitoring

5.1. The Licensee shall undertake and/or partake monitoring, in particular environmental monitoring, as directed by the Minister or other competent State authority.

6. Duration, Cessation, Review, Revocation, Amendment, Assignment

Duration, Cessation

6.1. This Licence shall remain in force until XX XXXXXXXXX, 20XX and as long as the accompanying Foreshore Licence remains in force.

Review

6.2. The Licensee may apply for a review of the licence at any time after the expiration of three years since the granting of the licence or its last renewal in accordance with section 70 of the Act.

Revocation, Amendment

- 6.3. Subject to the Act, the Minister may revoke or amendant licence if:-
 - (a) he considers that it is in the public interest to
 - (b) he is satisfied that there has been a breach or any condition specified in the licence e.g., operating outside the licens of area
 - (c) the licensed area to which the licence clates is not being sperly maintained,
 - (d) water quality results or general performance in the licenses reado not meet the standards set by the Minister or the standards set by the Minister or the standards.

Assignment

- 6.4. This Licence shall not be as used without the poor written consent of the Minister and may not be assigned the the period three years, dating from the commencement or renewal of this is use, unless the Minister determines that it may be assigned under condition 6(5) or the addition set out in 6(6) applies.
- 6.5. A Licensee who considers that there are exceptional reasons for the assignment of the Licence turing the first three years, may apply to the Minister, giving those reasons, for a correct month that the Licence may be assigned. The Minister may, at his custoffin, having consider a the reasons given by the Licensee, determine whether on the same may be assigned. The determination of the Minister in this regard is al.
- 6.6. Where the License is a company (within the meaning of the Companies Acts) and goes no Liquid ion (within the meaning of the Companies Acts) in the first three years during from the commencement of the licence, the Liquidator shall, with the consent of the Minister, be entitled to assign the licence to enable him to discharge any debts of the liquidated company.
- 6.7. This licence is issued subject to any order that the High Court may make under section 218 of the Companies Act 1963 or otherwise with regard to the assignment of this licence.

7. Fees

7.1. The Licensee shall pay to the Minister an annual aquaculture licence fee in accordance with the Aquaculture (Licence Application and Licence Fees) (No. 2) Regulations 1998 (S.I. No. 324/1998) as amended by the Aquaculture (Licence

- Fees) Regulations 2000 (S.I. No. 282 of 2000) or an amount payable under Regulations made under section 64 of the Act.
- 7.2. The Minister may revoke the licence where the Licensee fails to pay the aquaculture licence fees on demand.

8. General Terms and Conditions

- 8.1. The Licensee shall at all times comply with all laws applicable to aquaculture operations.
- 8.2. Any reference to a statute or an act of an institution of the European Union (whether specifically named or not) includes any amendments or re-enactments in force and all statutory instruments, orders, notices, entations, directions, bye-laws, certificates, permissions and plans made, issued in given effect under such legislation shall remain valid.
- 8.3. If any condition or part of a condition in this licence is a ld to be illegal or unenforceable in whole or in part, succondition shall be deeped not to form part of this licence but the enforceability of the per ainder of this licence is not affected.
- 8.4. The Licensee shall at all the schold all neces by licences, consents, permissions, permits or authorisations as used with any petivities of the Licensee in connection with the licensed area.

Notification

- 8.5. Without prejudice to the other remedy under the licence or in law, if the Minister is of the view but the censee is in breach of any obligation under this licence, the Minister may, and in writing equire that the Licensee rectifies such breach, within such time is specified by the Minister. The Licensee shall comply with any direct. If the mister within the time specified in the notice.
- 8.6. By notice to be given by the Minister may be transmitted through the Post Office as a seed to the censee at the last known address of the Licensee.
- 8.7. The Lie ee stall notify the Minister within 7 days of any change in the Licensee's address, telephone, e-mail or facsimile number.

Tax Clearance Certificate

8.8. During the term of this licence the Licensee shall provide to the Minister on demand a current tax clearance certificate.

Companies and Co-operatives

8.9. In the event of the licence being granted to a company (within the meaning of the Companies Acts), control of the licensee company shall not change in any respect from the control of the company as existed on the date that the licence was granted so long as this licence shall remain in force save with the prior written permission of the Minister.

- 8.10. In the event of a licence being granted to a company that has been incorporated outside this State, the licensee company shall register with the Companies Registration Office within one month of the establishment of a place of business in the State or alternatively, within one month of the establishment of a branch of the said company in the State and the licensee company shall submit proof to the Department within 14 days of the end of that month that it has been so registered.
- 8.11. Where the licensee is a Company within the meaning of the Companies Acts, the licensee company shall ensure that it does not become dissolved within the meaning of the Companies Acts for so long as this licence shall remain in force.
- 8.12. In the event of the licence being granted to a society (within the meaning of section 2 of the Industrial and Provident Societies (Amendment) Act 1978 (No.23 of 1978) the following conditions shall apply:-
 - 8.12.1. The rules relating to membership of the society shall enable any resident of the State to become a member of it a pere the resident fulfils all the conditions laid down by the society for membership of it and the bles shall not lay down different conditions for different classes of people;
 - 8.12.2. The rules relating to the society as thatted to the Minister before the grant of this licence shall not be amended subsequently other than with the written permission of the Minister and
 - 8.12.3. The Minister may, if he consider it necessary in the interests of good management of the licensed mea, direct that an amendment may be made to the rules of the society and the Licensee shall amend the rules in accordance with that direction.

Clearance of Site

8.13. The tree shall at the Licensee's own expense if so required by written notice from the last ter and within three weeks after receipt of such notice or on cessation of the licence any a cause, remove the structures, apparatus, equipment or yother thing the satisfaction of the Minister. If the Licensee refuses or fails to do the Minister may cause the said structures, apparatus, equipment or other thing be removed and the licensed area restored and shall be entitled to recover from the licensee as a simple contract debt in any court of competent jurisdiction all costs and expenses incurred by him in connection with the removal and restoration. The Licensee shall take such steps as the Minister may specify in order to secure compliance with this condition.

Schedule 1 contains:

- the co-ordinates of the site based on the Irish National Grid Co-ordinate System and the area of the site
- site map(s) which also shows the access/egress route to and from the site
 - General access to the farm is from the pier in Castletownbere and some access also from Bank Pier.
- · a chart showing the location of the site in relation to the surrounding area.



1 NO. SITE AT BANTRY BAY CO.CORK

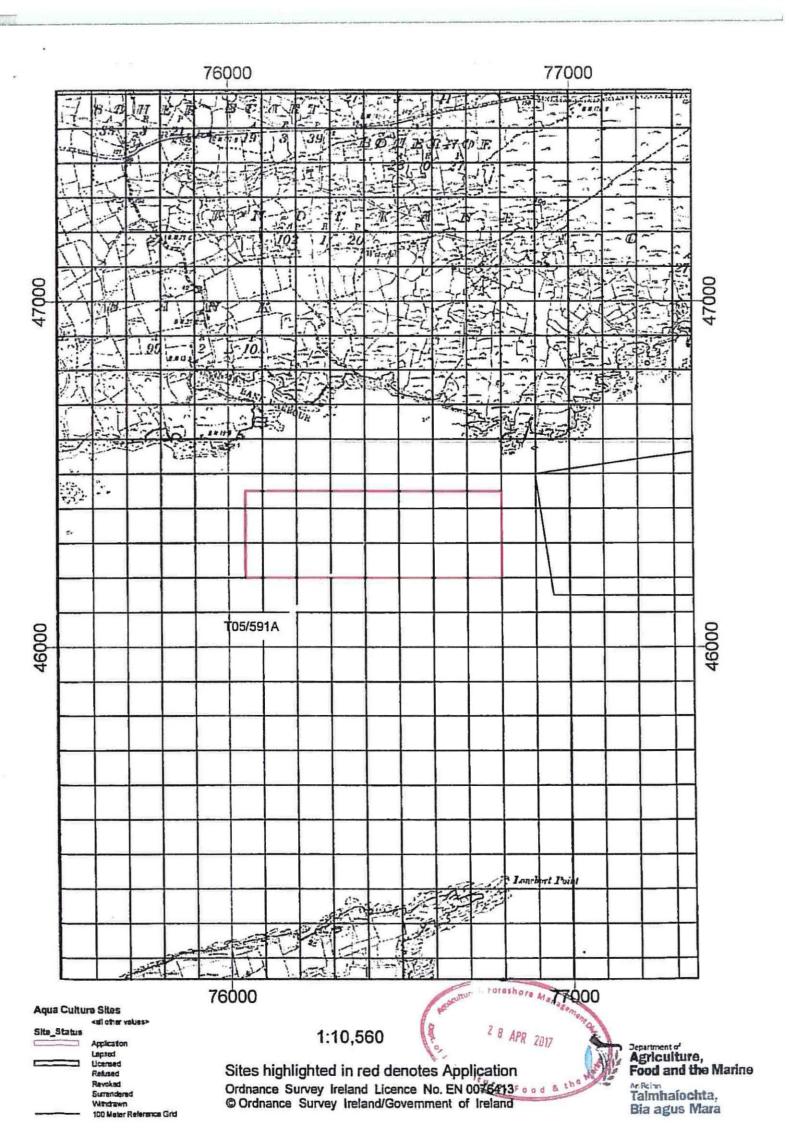
Co-ordinates & Area

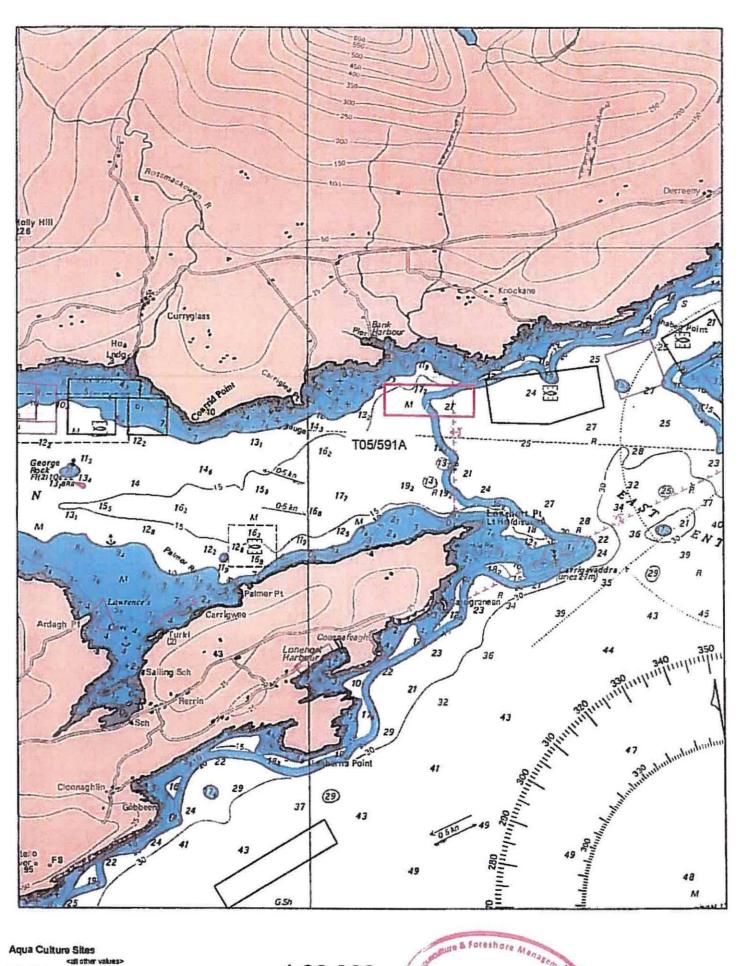
Site T05/591A (18.75 Ha)

The area seaward of the high water mark and enclosed by a line drawn from Irish National Grid Reference point

076050, 046450 to Irish National Grid Reference point 076800, 046450 to Irish National Grid Reference point 076800, 046200 to Irish National Grid Reference point 076050, 046200 to the first mentioned point.







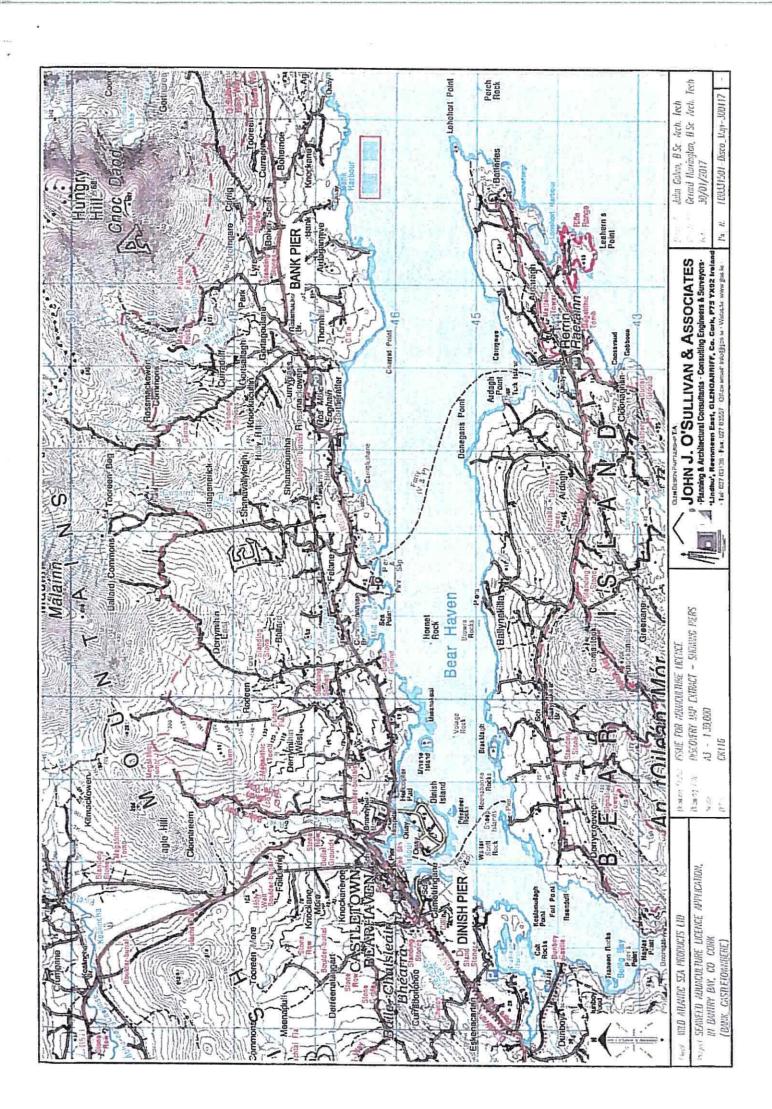
Aqua Culture Sites

Site_Status

1:30,000

Sites highlighted in red denotes Application Part of Admiralty Chart No =1840-0 Not to be used for Navigation



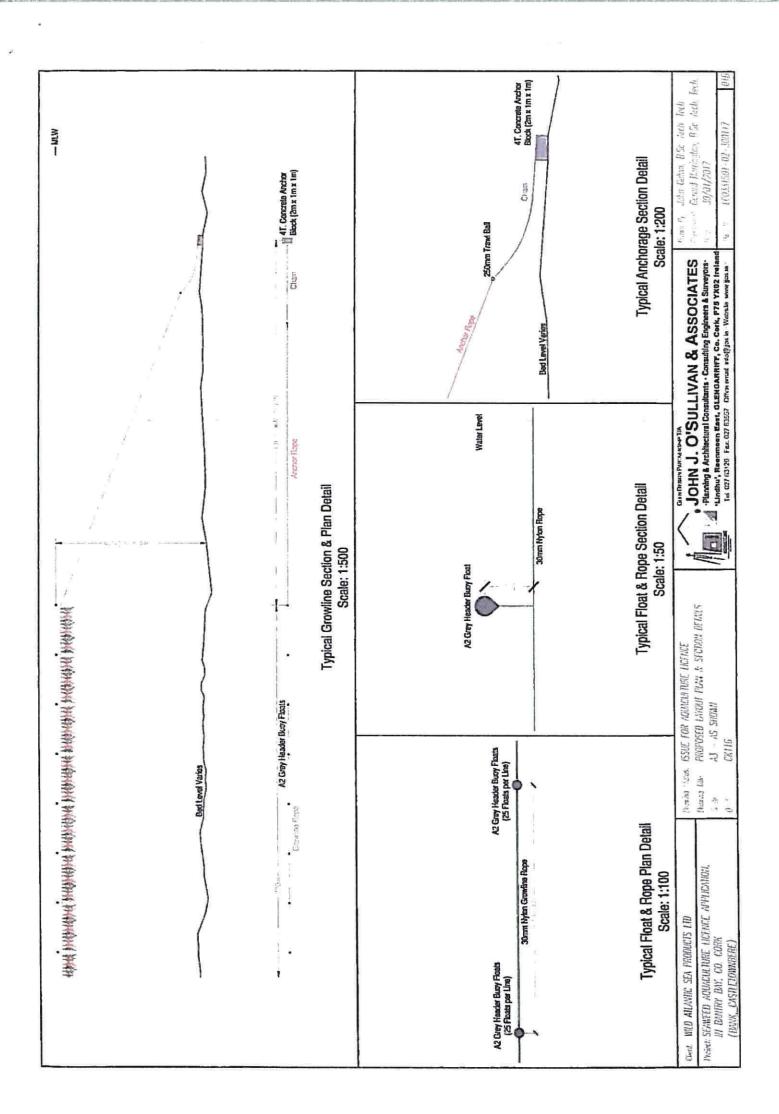


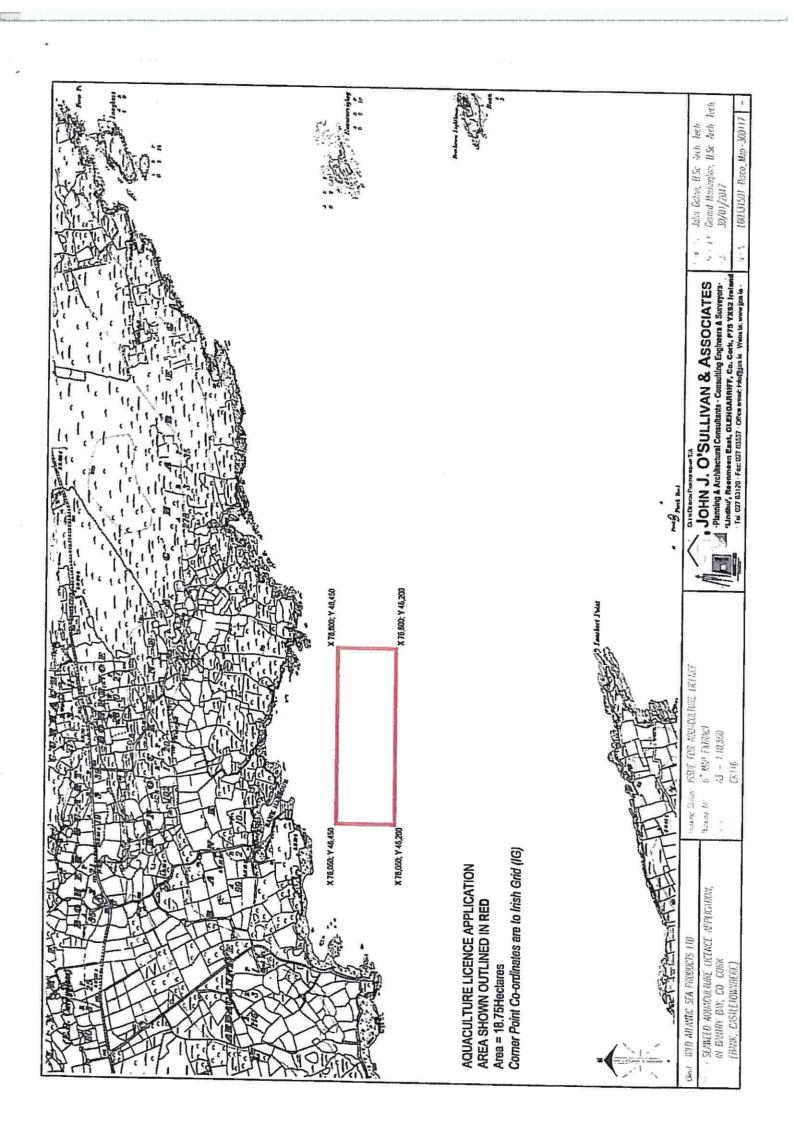
Schedule 2 contains:

• the approved plans and drawing(s)



47 Changes Jeeps Pages Under Date Chris Den Lief Rages Comme Family Sector II. Occupations of Decembers Il Doors Acres A 1 CALL OF EAGURER AS A 1 CALL OF THE LOSS OF THE LOS Proposed Seaweed Farm - Anchor Blocks Plan; with Partial Growlines & Header Buoy Floats Shown Scale: 1:1,000 Aqusamhru Licence Application Area Outined in RED Application Area = 18.75 Hectaris Chross Land Drown Actual Post of Const of Companyor à. 50т UNOBSTRUCTED CHANNEL Please library If Comma Actor II Coccess lector Proposed Seaweed Farm - Full Section Scale: 1:1,000 Charles Buy Rung 13t ca Tr Carona Acres Bed (201 to 1 be) of Chance Audio Chee 17 Course Acchus Stop Day 16 : 14 Parties (Deben 11, Chestral Australia) Baye & Comes Steak (Dis 121 11) Part of Course (Corporated)





Schedule 3 contains:

- · requirements of the MSO and/or CIL
 - 1. The applicant must secure Statutory Sanction from the Commissioners of Irish Lights for the aids to navigation that may be required by the Marine Survey Office. These aids must be in place before development in the site commences.
 - 2. The size and specification of aids to navigation must be design and specification approved by the Marine Survey Office and hast be agreed in advance with the Commissioners of Irish lights.
- the navigation marking detail
- The four corners of the site must be marked with a speed mark buoy with light and topmark.

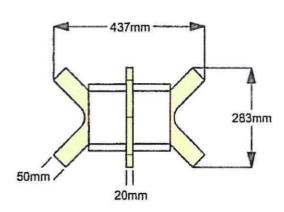




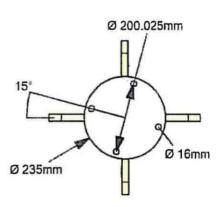
GLEN DESIGN PARTHERSHIP TIA

JOHN J. O'SULLIVAN & ASSOCIATES

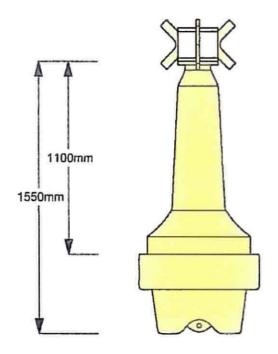
·Planning & Architectural Consultants · Consulting Engineers & Surveyors · 'Lindhu', Reenmeen East, GLENGARRIFF, Co. Cork, P75 YX92 Ireland · Tel: 027 63126 · Fax: 027 63557 · Office email: into@∦cs le · Website: www ∦os le ·



SIDE ELEVATION: SPECIAL MARK BEACON



PLAN : SPECIAL MARK BEACON



ELEVATION : FLOATING MARKER BUOY SCALE 1:20

Floating Marker Buoy Specification

 Total Height 	1550mm 65kg 600mm 189 Litres 1100mm		
 Total Weight 			
 Diameter 			
 Volume 			
 Focal View 			
 Mooring Ring Diameter 	25mm		
 Mooring block & line suitat 	le for location		

	1,000	ISSUE FOR PLANNING	Drawn By	John Galvin
Project. SEAWEED AQUACULTURE LICENCE APPLICATION, IN BANTRY BAY, CO. CORK	Drawing Title: Scale	Floating Nav Buoy A4 – 1:20	Check ed By Date:	Gerard Harrington 30/01/2017
(BANK, CASTLETOWNBERE)	0.5.5.	CK116	Dwg Mo	L00331501-02

Schedule 4

- the seeding/plant and/or equipment deployment conditions (if applicable).
- 2 No. 220m x 200m floating longline grid system to be used.
- The flotation barrels should be battleship grey in colour.
- Each floating longline should not be longer than 200 metres length.
- Only native species of seaweed to be cultivated on this six.
- Source of Seed must be approved by the Department of A. culture, Food and the Marine.
- An unobstructed 50m channel must be maintained brough the state allow safe access and egress to Bank Harbour/Pier.

