

**AQUACULTURE - LICENSING UNDER**  
**FISHERIES (AMENDMENT) ACT 1997 as amended**  
**and**  
**FORESHORE ACT 1933 as amended**

*Application Form for an Aquaculture and Foreshore Licence for  
a single specific site.*

*If a Licence is required for more than one site a separate  
application form must be completed for each site.*

**Important Note**

Section 4 of the Fisheries and Foreshore (Amendment) Act, 1998 (No. 54 of 1998) prohibits any person making an application for an Aquaculture Licence from commencing aquaculture operations until duly licensed under the Fisheries (Amendment) Act, 1997 (No. 23 of 1997), and provides that a breach of that prohibition will cause the application to fail.

A copy of an Environmental Impact Statement and Natura Impact Statement should be enclosed, if required, with all new, review and renewal applications. See Guidance Notes Section 3.

Aquaculture & Foreshore Management Division,  
Department of Agriculture, Food and the Marine,  
National Seafood Centre,  
Clonakilty, Co. Cork  
Telephone: (023) 8859500  
Fax: (023) 8821782

**AQUACULTURE AND FORESHORE LICENCE APPLICATION FORM, for purposes of  
FISHERIES (AMENDMENT) ACT, 1997 and FORESHORE ACT, 1933**

**NB: The accompanying Guidance Notes should be read before completing this form.**

**Note:** Details provided in Parts 1 and 2 will be made available for public inspection. Details provided in Parts 3 and 4 and any other information supplied will not be released except as may be required by law, including the Freedom of Information Act 1997 as amended.

**USE BLOCK CAPITALS IN BLACK INK  
PLEASE**

**For Office Use**

Application Ref. No. T6/429.

Date of Receipt (Dept. Stamp)

16 NOV 2015

26 APR 2015

Dept. of Agriculture, Food & the Marine

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

**Type of Applicant (tick one)**

Sole Trader

Partnership

Company

Co-Operative

Other

Please specify-

**PART 1: PRELIMINARY DETAILS**

**Applicant's Name(s)**

1. DINGLE BAY SHELPISH LTD.

Address: CROMANE POINT  
CROMANE LOWER,  
KILLORGLIN  
CO. KERRY

2.

Address:

3.

Address:

4.

Address:

<b>Contact in case of enquiries (if different from above)</b>	
Contact Name	JOHN MICHAEL FOLEY
Organisation Name (if applicable)	
Address	CROMANE LANE, KILMORELIN CO. KERRY

### PART 1: PRELIMINARY DETAILS

<b>TYPE OF APPLICATION</b> – please indicate relevant type of application This Application Form is valid for each type of application - <i>See Guidance Note 3.1</i>	
(i) Aquaculture Licence	<input checked="" type="checkbox"/>
(ii) Trial Licence	<input type="checkbox"/>
(iii) Foreshore Licence, if Marine Based	<input type="checkbox"/>
(iv) Review of Aquaculture Licence	<input type="checkbox"/>
(v) Renewal of Aquaculture Licence	<input type="checkbox"/>

### TYPE OF AQUACULTURE

*See Guidance Note 3.2*

Indicate the relevant type of application with a tick.

#### (i) MARINE-BASED

Finfish

☐

Go to Parts 2.1 and 2.1A

Shellfish *Subtidal*

☒

Go to Parts 2.2 and 2.2A

*Intertidal*

☐

Go to Parts 2.2 and 2.2A

Seaweed/Aquatic Plants/Aquatic Fish Food

☐

Go to Parts 2.3 and 2.3A

#### (ii) LAND-BASED

Finfish

☐

Shellfish

☐

Go to Parts 2.4 and 2.4A

Aquatic Plants

☐

Aquatic Fish Food

☐

Go to Parts 2.4 and 2.4A

#### (iii) TRIAL LICENCE

☐

Go to appropriate Parts as above and to Part 2.5.

## 2.2 MARINE-BASED SHELLFISH AQUACULTURE

When filling out this section refer also to 2.2A and Guidance Note 3.3 for information on Conditions and Documents required with this application type

### Proposed Site Location

- (i) Bay: CASTLEMAINE HARBOUR, DINGLE BAY
- (ii) County: KERRY
- (iii) OS Map No: \_\_\_\_\_
- (iv) Co-ordinates of Site: (please specify coordinate reference system used e.g. Irish Grid (IG) or Irish Transverse Mercator (ITM) or Latitude/Longitude [in which case specify whether ETRS89 or WG84 etc.] 072330, 102240 TO IRISH NATIONAL GRID REFERENCE POINT 072800, 102240 TO IRISH NATIONAL GRID REFERENCE POINT 072800, 101935 TO IRISH NATIONAL GRID REFERENCE POINT 072330, 101935 TO THE FIRST MENTIONED POINT.
- (v) Size of Site (hectares): 14.335 HA

(vi) Species (common and scientific name) and whether native or non-native species: (see Guidance Notes 3.3.1)

MUSSELS (MYTILUS EDULIS) NATIVE

(vii) Whether production will be sub-tidal or inter-tidal?

SUB-TIDAL

(viii) Please supply details of (a) source of seed e.g. wild hatchery and location and (b) means of collection and introduction to culture. AS WE HAVE DONE SINCE 2004 WITH THIS SITE, WE WILL NATURAL SEED BEDS FROM WITHIN DINGLE BAY AND THE EAST COAST OF IRELAND. THE MUSSEL SEED WILL BE COLLECTED BY FISHING THE FROM THE SEA BED WITH DREDGES AND MOVING THEM TO THIS SITE WITH OUR MUSSEL DREDGER.

NB Importation of seed into the State or movement of seed within the State requires notification to the Marine Institute as per the Fish Health Authorisation Regulations - See Guidance Notes Section 6

(ix) Method of culture (rope, trestles - intensive; bottom - extensive;

other) BOTTOM CULTURE

(x) Proposed number of lines/ropes/trestles as per site layout drawing

(xi) Proposed Production Tonnage:

Year 1	500	Year 2	500	Year 3	500	Year 4	500	Year 5	500
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(xii) (a) Please outline the reasons for site selection:

WE HAVE HAD A LICENCE ON THIS GROUND SINCE 2004 BUT NOW NEED TO REAPPLY BECAUSE OF CHANGE OF COMPANY. OVER THIS PERIOD WE HAVE FOUND THE SEAS TO BE SUITABLE TO BOTTOM CULTURE AND THE AREA WELL SHELTERED THROUGHOUT THE YEAR. WE HAVE BEEN PLEASED WITH HOW THIS AREA HAS PERFORMED FOR US THE PAST YEARS.

(b) If using trestles please outline the physical characteristics of the site which make it suitable for using trestles

(xiii) Is it intended that the product is for direct human consumption or half grown? Please specify

IT IS OUR INTENTION TO PRODUCE MUSSELS SUITABLE FOR THE DUTCH MUSSEL AUCTION  
HOWEVER SOMETHING IT MAY BE NECESSARY TO MOVE HALF GROWN MUSSELS FROM  
THE SITE TO CONTINUE GROWING ELSEWHERE.

(xiv) How will the visual impact issues of the flotation devices for the proposed application be addressed?

(xv) Is the site located in Designated Shellfish Waters Area? (Refer to Guidance Note 3.3.2)

Yes ☒ No ☐

If yes give details.

SHELLFISH CULTIVATION DESIGNATION AREA.

If no outline the reasons why you believe the site suitable for the proposed aquaculture, notwithstanding its location outside Designated Shellfish Waters Area?

(xvi) Has the area been classified under Food Safety Legislation? (For Bivalve Molluscs) What is the current classification of the area for the proposed species applied for?

YES, B - MUSSELS

(xvii) Is the site located in/adjacent to a sensitive area e.g. SPA (Special Protection Area) or SAC (Special Area of Conservation) i.e. a Natura 2000 site? (Refer to Guidance Note 3.3.1- Natura 2000 sites)

YES

(xviii) Are there known sources of pollution in the vicinity e.g. sewage outfall?

Yes / No

If yes please give full details.

NO

(xix) Methods used to harvest the shellfish and details of any subsequent processing of shellfish

OUR MUSSEL PROJECT WILL HARVEST THE MUSSELS  
FROM THE SEA BED.

(xx) Describe any proposed purification facilities to be used:

(xxi) What are the main predators of the species to be cultivated?

CRABS AND STARFISH

(xxii) Describe the method(s) which will be used to control them

BEING IN THE INNER HARBOR, STARFISH DO NOT DRAWY TROUBLE THIS SITE, TOO MUCH FRESH WATER. HOWEVER WE CAN 'MOP' THE STARFISH WITH THE MUSSEL DREDGE. WE WILL NOT FOR CRABS IF NECESSARY

See Part 2.2A for details of documentation to be included with this application type

## **2.2A DOCUMENTATION REQUIRED FOR MARINE-BASED SHELLFISH AQUACULTURE**

(to be included separately with a Licence Application for a new site or for a renewal or review of an existing Licence)

- ✓ **An appropriate Ordnance Survey Map (recommendation is a map to the Scale of 1:10,000/1:10,560, i.e. equivalent to a six inch map). Note: The proposed access route to the site from the public road across tidal foreshore must also be shown on the map.**
- ✗ **Scale drawing of the structures to be used and the layout of the farm.**  
The proposed site drawings must illustrate all site structures above and below the water including mooring blocks. (recommended scales normally 1:100 for structures and 1:200 for layout ) (See Guidance Note 3.3.2)
- ✓ **The prescribed application fee (See Guidance Note Section 4)**
- ✓ **If the applicant is a limited Company within the meaning of the Companies Act 1963, as amended, the Certificate of Incorporation and Memorandum and Articles of Association**
- ✗ **If the applicant is a Co-operative, the Certificate of Incorporation and Rules of the Co-operative Society**
- ✗ **Environmental Impact Statement (if required) in certain cases- See Guidance Notes Section 3.3.1**
- ✗ **Alien Species dossier ( where required) – See Guidance Notes Section 3.3.1**

**NOW COMPLETE PARTS 2.6, 3, 4 AND 5 PLEASE**



**2.6 Employment, Qualifications, Experience, etc  
TO BE FILLED IN BY ALL AQUACULTURE APPLICANTS**

(i) Please provide details of experience/qualifications of the applicant and any key personnel which are relevant to the aquaculture now proposed:

- JOHN P FOLEY IS A FISHERMAN WITH OVER 40 YEARS EXPERIENCE.  
- JOHN M FOLEY IS A FISHERMAN WITH OVER 15 YEARS EXPERIENCE  
IN THE MUSSEL INDUSTRY ALONG AND HOLD A SKIPPER'S TICKET  
(AND HAND FULL SPECIAL). - STEPHEN FOLEY IS A FISHERMAN WITH 5  
YEARS EXPERIENCE AND A SKIPPER'S TICKET (AND HAND FULL). ALL  
THREE OF US HAVE SUFFICIENT EXPERIENCE AND QUALIFICATIONS THAT WE  
HAVE OPERATED THIS AREA OF GROUND SINCE 2004.

(ii) If a new application please provide details of projected employment creation during first four years of the proposed aquaculture project:

(iii) In the case of a renewal please provide current and future details:

THERE ARE 3 OF US INVOLVED IN THE COMPANY AND IN  
GENERAL FOUR ARE NECESSARY TO RUN A BOAT SO WE WILL  
NEED TO EMPLOY SOMEBODY. PART TIME OR FULL TIME WILL  
DEPEND ON HOW MUCH MUSSELS WE TURN OVER.

**FULLTIME JOBS**

Year 1:	3	Year 2:	3	Year 3:	3	Year 4:	4
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**PART TIME JOBS**

Year 1:	1	Year 2:	1	Year 3:	1	Year 4:	0
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## PART 5: DECLARATION AND SIGNING

**NB: Refer to Guidance Note Section 3.5 and Section 4 - Guidance on Declaration and Signing and Annual Aquaculture and Foreshore Licence Fees**

If this is a renewal/review have you met all licence conditions of the existing aquaculture licence? If applicable, explain why you have not complied with all conditions:

I/We hereby declare the information provided in Parts 1, 2, 3 and 4 above to be true to the best of my/our knowledge. I/We enclose an application fee\* of € \_\_\_\_\_ with this application.

Signature(s) of Applicant(s):

(Please state capacity of persons

signing on behalf of a Company/Co-op)

<input checked="" type="checkbox"/> John Jay	-	Director
<input checked="" type="checkbox"/> John Foley	-	Director
<input checked="" type="checkbox"/> Stephen Foley	-	Director

Date: ☒ 19 November 2015

**NB All persons named on this licence application must sign and date this application form.**

**Only the existing licence holder(s) can apply for the renewal/review of an Aquaculture Licence.**

\*Preferred method of payment is by cheque or bank draft. The fee should be made payable to the Department of Agriculture, Food and the Marine.

**Refer to Guidance Note Section 4 - Guidance on Aquaculture and Foreshore Licence Fees**

The application form should be forwarded, with the required documents and application fee, to:

**Aquaculture Licensing  
Aquaculture & Foreshore Management Division  
Department of Agriculture, Food and the Marine  
National Seafood Centre  
Clonakilty  
Co. Cork**





72000

73000

103000

103000

102000

102000

101000

101000

72000

73000

## Aqua Culture Sites

&lt;all other values&gt;

## Site\_Status

- Application
- Lapsed
- Licensed
- Refused
- Renewal
- Revoked
- Surrendered
- Withdrawn
- 100 Meter Reference Grid

1:10,560

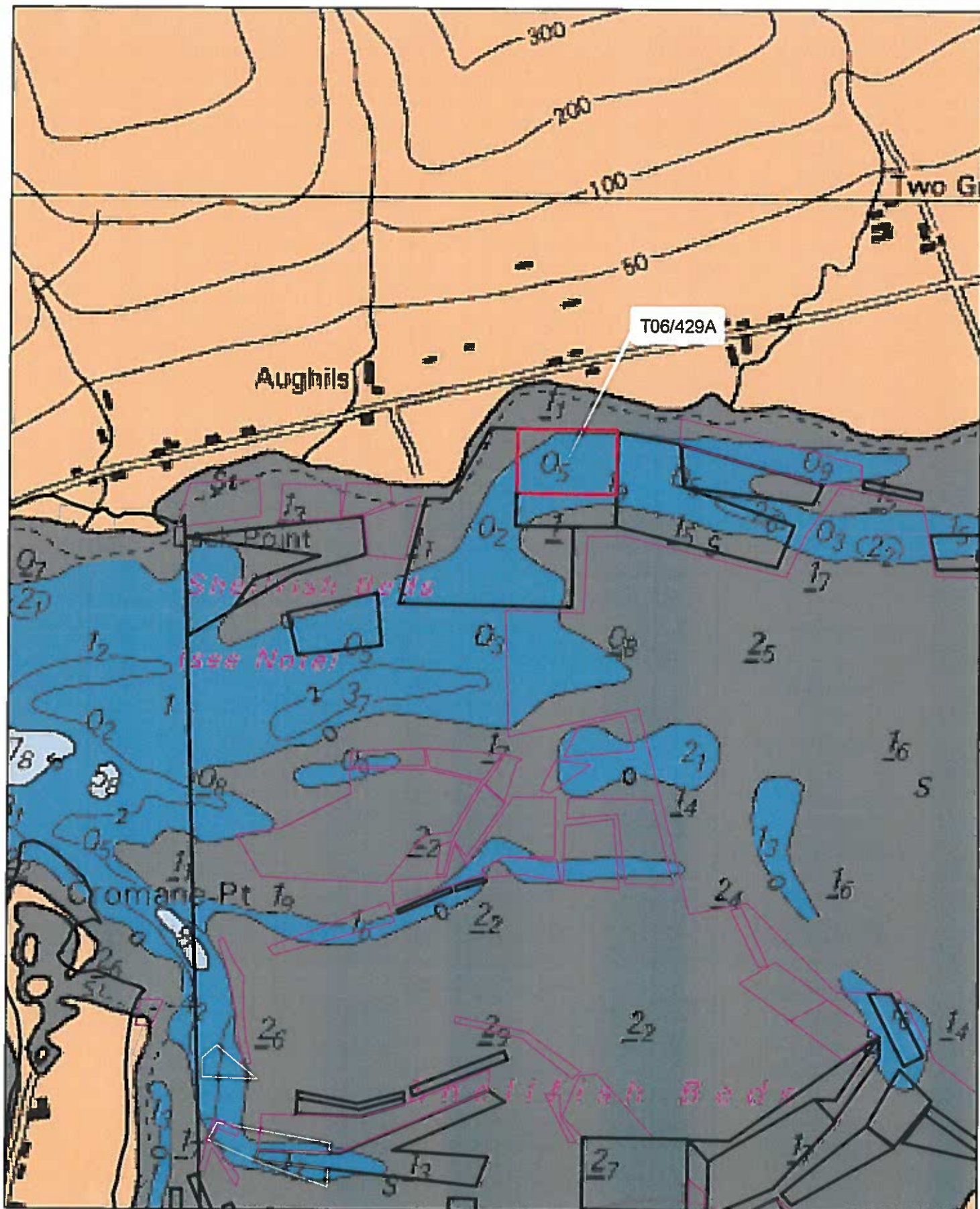
Ordnance Survey Ireland Licence No. EN 0076413

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Sites highlighted in red denotes Application



Department of  
**Agriculture,  
Food and the Marine**  
A1 Room  
Talmhalochta,  
Bla agus Mara



# **Aqua Culture Sites** <all other values>

Site_Status	
<span style="border: 1px solid red; display: inline-block; width: 15px; height: 10px;"></span>	Application
<span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	Lapsed
<span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	Licensed
<span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	Refused
<span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	Renewal
<span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	Revoked
<span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	Surrendered
<span style="border: 1px solid black; display: inline-block; width: 15px; height: 10px;"></span>	Withdrawn

1:24,000

Part of Admiralty Chart No 2789-1  
Not to be used for Navigation

Sites highlighted in red denotes Application



Department of  
**Agriculture,  
Food and the Marine**  
An Roinn  
Talmhaíochta,  
Bia agus Mara

**1 NO. SITE AT CASTLEMAINE HARBOUR CO.KERRY**

**Co-ordinates & Area**

**Site T06/429A (14.335 Ha)**

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

072330, 102240 to Irish National Grid Reference point  
072800, 102240 to Irish National Grid Reference point  
072800, 101935 to Irish National Grid Reference point  
072330, 101935 to the first mentioned point.

