

DEPARTMENT OF THE MARINE

FISHERIES (CONSOLIDATION) ACT, 1959

FISH CULTURE LICENCE

The Minister for the Marine (hereinafter referred to as "the Minister"), in exercise of the powers conferred on him by the Fisheries (Consolidation) Act, 1959 (No. 14 of 1959), and the Fisheries (Transfer of Departmental Administration and Ministerial Functions) Order, 1977 (S.I. No. 30 of 1977), (as adapted by the Tourism, Fisheries and Forestry (Alteration of Name of Department and Title of Minister) Order, 1987 (S.I. No. 82 of 1987), hereby authorises Lissadell Shellfish Co. Ltd., whose registered address is at Lissadell, Co. Sligo, (hereinafter referred to as "the Licensee"), to;

- (a) perform all operations necessary for the culture of clams at the fish farm situated in the townland of Lissadill in the Barony of Carbury, County of Sligo, the plans of which have been submitted to and approved by the Minister;
- (b) at any time of the year, to collect clams and remove them from place to place and deposit them as and where the Licensee thinks fit;
- (c) do all other things which the Licensee thinks proper for obtaining, storing, rearing and depositing clams;
- (d) at any time of the year, have in possession or sell clams for table use;

SCHEDULE

Conditions subject to which this licence is granted

1. This licence shall remain in force for a period of ten years from the date hereof except as hereinafter provided.
2. No fish other than clams shall be cultivated or taken under the terms of this licence.
3. The Licensee shall comply with such instructions as the Minister may issue from time to time for the control of all fish culture activities concerned in the operation of the fish farm.
4. The Licensee shall furnish to the Secretary, Department of the Marine, Aquaculture Section, Lesson Lane, Dublin 2, such information as may be required from time to time by the Minister, concerning the culture of clams under this licence.
5. The fish farm and any equipment, structure, thing or premises wherever situated, used in connection with operations carried on at the fish farm covered by this licence 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), other than a private water keeper), a sea fisheries protection officer (within the meaning of section 220 of the Fisheries (Consolidation) Act, 1959) or any other person appointed in that regard by the Minister.
6. The Licensee shall give all reasonable assistance to an authorised person, a sea fisheries protection officer or any person duly appointed by the Minister to enable the person or officer to enter and inspect the said fish farm and all fitments, structures and premises associated with it pursuant to Paragraph 5.

7. The Licensee shall operate the said fish farm in a hygienic manner and shall carry out such instructions as may be issued in this regard by the Minister.
8. The Licensee shall use only clams or the brood or spawn thereof which have been certified to be free of all known pests, parasites and diseases by a person whose certificate is acceptable to the Minister.
9. The Licensee shall comply with the terms of the Molluscan Shellfish (Conservation of Stocks) Order, 1987 and with any other instrument in force for the time being governing the movement of shellfish.
10. The Licensee shall notify the Secretary, Department of the Marine, Aquaculture Section, Lesson Lane, Dublin 2 and the Fisheries Research Centre (Fish Pathology Unit), Abbotstown, Castleknock, County Dublin within forty-eight hours of the appearance or suspected appearance of any disease or abnormal losses or mortalities at the said fish farm and shall send samples to the Fish Pathology Unit, Abbotstown, Castleknock, Co. Dublin, in a prescribed manner as and when requested to do so and shall comply with any directions issued as to the treatment, disposal and destruction of the clams concerned.
11. The Licensee shall not use any substance or thing or do anything which has a deleterious effect on the aquatic environment
12. The Licensee shall make arrangements for the provision of a lime pit for the disposal of dead fish. All dead fish shall be disposed of in a manner acceptable to the Local Authority.
13. The Licensee shall carry out such monitoring as the Minister shall specify from time to time and the results of such monitoring shall be furnished to said Secretary.

14. The Licensee shall furnish to the Fisheries Research Centre at the said address such samples of his produce as may be required by the Minister.
15. The Licensee shall indemnify and keep indemnified the State, the Minister, their officers, servants or agents against all actions, loss, claims, damages, costs, expenses and any demands or claims howsoever arising in connection with the construction, maintenance or use of any structures, apparatus, equipment or other thing used in the exercise of rights granted under this licence.
16. Should the Licensee fail to commence operations under the terms of this licence to the satisfaction of the Minister within one year of the date of issue of this licence, the Minister may revoke without compensation the licence if he thinks fit.
17. The Minister shall be at liberty at any time to revoke or amend this licence if he considers that it is in the public interest to do so or if he is satisfied that there has been a breach of any condition specified in the licence. Any such revocation or amendment shall be subject to the provisions of Section 15 of the Fisheries (Consolidation) Act, 1959.
18. In the event of neglect or abandonment of the fish farm, the Minister shall take such action as he thinks fit to dispose of the fish including revocation of licence.
19. This licence is valid only so long as licence granted by Sligo County Council on 2nd of August, 1990 to discharge trade effluent from the fish farm remains valid.
20. This licence is valid only so long as the layout of the fish farm conforms to the plans duly approved in Paragraph 1 of this licence.

21. This licence is not transferable.

Dated this 24<sup>th</sup> day of November LS. 1992  
For the Minister for the Marine

*Sara White*

An Officer of the Department of the Marine  
duly authorised in that behalf.



Department of the Marine

Foreshore Act 1933

Licence

The Minister for the Marine (hereinafter referred to as the Minister), in exercise of the powers vested in him by Section 3(1) of the Foreshore Act 1933, hereby grants to Lissadell Shellfish Co. Ltd., Lissadell, Co. Sligo, (hereinafter referred to as the "Licensee") licence to use and occupy that part of the Foreshore adjacent to the townland of Lissadill in the Barony of Carbury, County of Sligo more particularly delineated on the map annexed hereto for the purpose of laying and maintaining an effluent discharge pipe as shown coloured red on the map annexed hereto and a seawater intake pipe as shown coloured blue on the map annexed hereto, in accordance with plans and drawings submitted to and approved by the Minister in connection with the cultivation of clams on the terms and conditions following:

1. This licence shall remain in force for the term of ten years from the 24th day of November, 1992 except as hereinafter provided.
2. The Licensee shall pay to the Minister through the Secretary, Department of the Marine (Aquaculture Section), Lesson Lane, Dublin 2 the annual sum of £50 such payments to be made on the 24th day of November in every year during the continuance of this licence the first of such payments to be made on the signing hereof in respect of the period ending the 23rd day of November, 1993.
3. The Licensee shall use that part of the foreshore, the subject matter of this licence, for the laying and maintaining of an effluent discharge pipe and a seawater intake pipe in connection with a clam hatchery and for no other purpose whatsoever.

4. The effluent discharge pipe and seawater intake pipe shall be in accordance with drawings submitted to and approved by the Minister.
5. The Licensee shall cause the said pipes to be properly buried between the high water mark and the low water mark in the interests of visual amenity.
6. The Licensee shall at all times during the continuance of this licence keep the said effluent discharge pipe and the seawater intake pipes in a good and proper state of repair and condition to the satisfaction of the Minister and ensure that they will not be injurious to navigation, fishing, the adjacent lands and property or the public interest.
7. The Licensee shall comply with any directions which may be issued by the Minister from time to time in that regard.
8. The Licensee shall comply with all the conditions laid down by Sligo County Council in the licence issued on 2nd August, 1990 under the Local Government (Water Pollution) Act, 1977.
9. The Licensee shall indemnify and keep indemnified the State, 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 construction, maintenance or use of the said effluent discharge pipe and seawater intake pipes or in the exercise of the permission hereby granted.
10. The Minister shall be at liberty at any time to terminate this licence by giving to the Licensee three weeks previous notice in writing ending on any day and upon determination of such notice the licence and permission hereby granted shall be deemed to be revoked and withdrawn without the liability for the payment of any compensation by the Minister to the Licensee.

11. The Licensee shall if so required by the Minister and, within three weeks after receipt of such notice or on determination of this licence from any other cause at his expense remove the said effluent discharge pipe and seawater intake pipe to the satisfaction of the Minister and if the Licensee refuses or fails to do so the Minister may cause the said effluent discharge pipe and seawater intake pipe to be removed 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, and the Licensee shall take such steps as the Minister may specify in order to secure compliance with this condition;
12. Any notice to be given by the Minister may be transmitted through the Post Office addressed to the Licensee at his last known address.
13. This licence is not to be construed as authorising the Licensee in any way to interfere with or infringe the rights of any other person.

PRESENT when the Seal of Office )  
of the MINISTER FOR THE MARINE )  
was affixed and was )  
authenticated by the Signature )  
of: SARA WHITE )

WITNESS: Dymphna Lynch )  
ADDRESS: Department of the Marine )  
Lein Lane, Dublin 2 )  
OCCUPATION: Civil Servant )

PRESENT: when the seal of )  
the Licensee was affixed hereto )

WITNESS: Kevin P. Kelly )  
ADDRESS: Cornwall )  
11 Sligo )  
OCCUPATION: Technician )

Sara White  
a person authorised  
under section 15(1)  
of the Ministers  
and Secretaries  
Act, 1924 to  
authenticate the  
Seal of the  
Minister.

L.S.

Kevin P. Kelly

162000

Baltimore

(E. D. Linscott East)

