

T26/23

**CERTIFICATE OF ASSIGNMENT**

**of**

**AQUACULTURE LICENCE NO. 546**

This is to certify that the Aquaculture Licence referred to has been assigned, with the approval of the Minister of State at the Department of Agriculture, Fisheries and Food, from:

**ANDREW & PHILIP FRYDAY,  
CLUNE  
CLONOULTY,  
CASHEL,  
CO TIPPERARY.**

**TO**

**CLUNE FISHERIES LTD,  
CLUNE,  
CLONOULTY,  
CASHEL,  
CO TIPPERARY**

with effect from 22<sup>nd</sup> September 2008, subject to the terms and conditions thereof.

Signed: 

A person authorised in this behalf by the said  
Minister of State.

AQUACULTURE LICENCE NO. 546

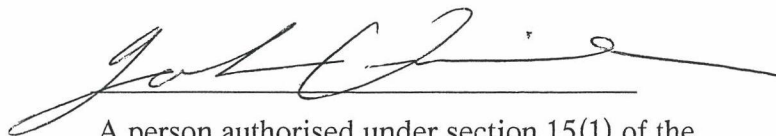
GRANTED UNDER THE FISHERIES (AMENDMENT) ACT, 1997 (NO. 23)

The Minister for Communications, Marine and Natural Resources, in exercise of the powers conferred on him by the Fisheries (Amendment) Act, 1997 (No.23), hereby grants an Aquaculture licence to:

**ANDREW & PHILIP FRYDAY,  
CLUNE,  
CLONOULTY,  
CASHEL,  
CO. TIPPERARY.**

For the cultivation of European perch at Clune Mushrooms Ltd, Clonoulty, Cashel, Co. Tipperary in accordance with plans approved of by the Minister, subject to the provisions of the Act referred to and to the terms and conditions set out in the Schedule attached.

Subject as aforesaid, this Aquaculture Licence shall remain in force until for a maximum period of ten (10) years commencing on 5 September, 2006.



A person authorised under section 15(1) of the  
Ministers and Secretaries Act, 1924 to  
authenticate the Seal of the Minister for  
Communications, Marine and Natural Resources  
5 September, 2006

## SCHEDULE

### **TERMS AND CONDITIONS OF 10 YEAR AQUACULTURE LICENCE GRANTED TO ANDREW & PHILIP FRYDAY TO CULTIVATE EUROPEAN PERCH AT CLUNE MUSHROOMS LTD, CLONOLTY, CASHEL, CO. TIPPERARY.**

#### General

- 1.(a) This Licence shall remain in force only for so long as the fish farm complies with both the planning permission granted by South Tipperary County Council on 1 July 2005 (ref. 05/18) and the Effluent Discharge Licence granted by South Tipperary County Council on 7 December 2005 (ref. ENV/W/120/2005) (or a further such Licence granted by the said Council or by the Environmental Protection Agency).
- (b) This Licence shall be reviewed by the Minister not later than 3 years after the date of the start of the Licence.
2. The Licensee shall comply with such instructions as the Minister may issue from time to time for the proper operation of the fish farm, including in particular instructions issued in relation to any of the matters referred to in the following paragraphs.
3. The Licensee shall indemnify and keep indemnified the State, the Minister, his officers, servants or agents against all actions, loss, claims, damages, costs, expenses or demands arising in any manner whatsoever in connection with the construction, maintenance or use of any structures, apparatus, equipment or other thing used in the exercise of the rights granted under this Licence and the Licensee shall take all steps specified in order to ensure compliance with this condition.
- 4.(a) The Licensee shall ensure that no derelict or redundant structure, apparatus, equipment or thing associated with the fish farm is allowed to remain on the licensed area or on adjoining land and that any such structure, apparatus, equipment or thing is properly removed for proper disposal elsewhere.
- (b) In the event of neglect or abandonment of the fish farm, the Minister shall take such action as he thinks fit (including revocation of this Licence or the disposal of any fish or any structure, apparatus, equipment or thing there) and the Licensee shall be liable to reimburse the Minister in respect of the expense involved in so doing.
5. This Licence is not to be construed as authorising the Licensee to interfere with or infringe in any way the rights of any other person.
6. The Minister shall be at liberty at any time to revoke or amend the 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, or in the event of water quality results or general performance at the fish farm not meeting the standards set by the Department of Communications, Marine and Natural Resources (hereinafter referred to as the Department). Any such revocation or amendment shall be subject to the provisions of the Fisheries (Amendment) Act, 1997, or any amendment thereto.



### **Stocking etc., restrictions**

7. No fish other than European perch shall be bred and handled at the fish farm.
8. The annual production of European perch will not exceed 95 tonnes.
9. Such precautions shall be taken by the Licensee as the Minister may specify from time to time in relation to the introduction of European perch (including ova and fry) into the fish farm, including disease-free certification and any adaptation of methods of operation or type of installation at the fish farm.
10. No European perch (including ova and fry thereof) shall be sold or disposed of to any person or in any way transferred outside the fish farm (except in any case to which paragraph 15 refers) save in accordance with the prior written permission of the Department.

### **Hygiene, Fish Health & Monitoring of Water Quality**

11. The Licensee shall make adequate arrangements for the hygienic operation of the fish farm (including proper selection and preparation of food, and proper treatment and disposal of wastes).
12. The Licensee shall make arrangements for the disposal of dead fish in accordance with the applicable statutory provisions and requirements.
13. The Licensee shall carry out regular monitoring of water quality at the fish farm and provide results of such monitoring to the Department and South Tipperary County Council.
14. The Licensee shall fit adequate anti-predator netting on fish farm structures so as to prevent predation and the possible introduction of disease by predators.
15. The Licensee shall notify the Department (Coastal Zone Management Division, Leeson Lane, Dublin 2) and the Fish Health Unit, Marine Institute, Rinville, Oranmore, Co. Galway within twenty-four hours of the appearance or suspected appearance of any disease or abnormal losses or mortalities at the fish farm and shall send samples to the Fish Health Unit at the above address in a prescribed manner as, and when, requested to do so and shall comply with any directions issued by the Department including the treatment, disposal or destruction of stocks of fish at the fish farm in the interests of safeguarding the stocks of fish in the State.
16. The Licensee shall notify the Department (Coastal Zone Management Division) and the Fish Health Unit, Marine Institute, at the above addresses, within twenty-four hours of any escapes of fish from the fish farm and shall keep records of fish escaped, including numbers, origin, species and year classes and shall make these records available to the Department, the Fish Health Unit and Southern Regional Fisheries Board on request.

### **Special requirements on chemical usage**

17. All chemicals, antibiotics and disinfectants used at the fish farm shall be used in accordance with instructions issued by the Veterinary Surgeon to the fish farm.

### **Inspections, records and returns**

18. The fish farm and all equipment or premises used in connection with operations carried on at the fish farm and the records referred to in condition 19 shall be open to inspection at any time by any authorised officer (within the meaning of the Fisheries Acts), or any other person appointed by the Minister for the purpose.
19. Records shall be kept at the fish farm of
  - all fish stripped, bred, held and handled at the fish farm;
  - the types and quantities of fish foods used (including their phosphate content), and the times of use;
  - all chemicals, antibiotics and disinfectants with which the fish have been treated, including types, quantities and times of use; and
  - the results of regular monitoring of water quality at the fish farm.
20. The Licensee shall furnish to the Department (Coastal Zone Management Division, Leeson Lane, Dublin 2) such returns from the records kept at the fish farm as may be required from time to time by the Department.