

Dated the 4th day of November 1953.

The Minister For Industry  
and Commerce  
— To —  
The Cork County Council

Foreshore at Ballycotton,  
Co. Cork.

— — — — —  
Licence

— — — — —  
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P. J. Murphy,  
Finance Solicitor,  
51 St. Stephen's Green, E.,  
Dublin.



# Agreement

Made the Fourth



day of November One Thousand Nine  
Hundred and Fifty-three Between The  
Minister For Industry And Commerce

(hereinafter called "the Minister") of the  
One Part and The County Council of The  
County of Cork (hereinafter called "the  
licensees") of the Other Part Whereas the  
licensees have applied to the Minister to  
grant them permission to use an area of State  
foreshore for the purpose of laying an outfall  
sewage pipe on the foreshore and bed of  
the sea at Ballycotton County Cork as herein-  
after described And Whereas the Minister  
has agreed to grant such permission Now  
Therefore This Agreement Witnesseth  
that the Minister in exercise of the powers  
vested in him by the Foreshore Act 1933 &  
hereby grants to the licensees licence to lay  
and maintain an outfall sewage pipe on  
that part of the foreshore and bed of the sea  
at Ballycotton as more particularly delineated  
and shown in red colour on the map annexed  
hereto And It Is Hereby Agreed by and between  
the Minister and the licensees as follows that  
is to say:-

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1. This licence shall remain in force for the term of ninety-nine years from the date hereof but shall be subject to revocation as hereinafter mentioned.

2. The licensees shall pay to the Minister through the Superintendent Mercantile Marine Office Dublin the sum of One Shilling on the First day of June in every year during the continuance of this licence the first payment to be made on the execution of these presents.

3. The Minister shall be at liberty at any time to revoke this licence by giving to the licensees three months' previous notice in writing of his intention so to do and the licensees shall within three months after the receipt of such notice or on the determination of this licence from any other cause and at their own expense remove the said pipe and restore the site to its former condition to the satisfaction of the Minister and if they refuse or fail to do so the Minister may cause the said pipe to be removed and the site to be restored and shall be entitled to be paid by and to recover from the licensees as a Civil Debt due to the State all costs and expenses incurred by him in connection with such removal and restoration.

4. The licensees shall keep the said pipe

in a good and proper state of repair and in proper condition to the satisfaction of the Minister.

5. The following conditions shall be observed by the Licensees in the laying and maintenance of the said pipe:-

(1) the said pipe shall not extend further beyond low water mark than is necessary to keep the end of it covered at all tides;

(2) the Licensees shall take all necessary steps to the satisfaction of the Minister to prevent the discharge of sewage through the said pipe creating a nuisance.

6. In case of the breach non-performance or non-observance by the Licensees of any of the covenants conditions or agreements contained herein the Minister shall have power to terminate this Licence forthwith.

7. The Licensees shall indemnify and keep indemnified the Minister against all actions claims damages costs and expenses arising in any manner whatsoever in connection with the laying and maintenance of the said pipe or in the exercise of the licence hereby granted.

8. Any notice to be given to the Licensees in pursuance of this Licence may be transmitted through the Post Office addressed to

the licensees.

7. This licence shall be enrolled by the Minister at the expense of the licensees in the Central Office of the High Court.

In witness whereof the Minister and the licensees have caused their respective Seals to be hereunto affixed the day and year first herein written.

Present when the Seal of Office of the Minister for Industry and Commerce was affixed and was authenticated by the signature of:-

*D. P. Shanagher*

Signature:- *D. P. Shanagher*

A person authorised under Section 15(1) of the Ministers and Secretaries Act 1924 to authenticate the Seal of the said Minister.

Address:- Department of Industry and Commerce.

Occupation:- Civil Servant

Present when the Corporate Seal of the Licensees was affixed:-

*Sam Buckley*

Nominated member of the Council

*Art. Powell*  
Deputy Bank Assistant  
Bounty manager

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*Sean Buckley*  
Nominated member of the Council  
*Ante Bucek*  
Deputy Cork Assistant County  
manager



M.S. 11669

Enrolled in the Central Office of  
High Court of Justice  
the 14<sup>th</sup> of December 1953

*M. S. 11669*  
Registered