Cork County Council has submitted an application for a Foreshore Lease to facilitate the installation of floating pontoons, gangway, fixed access platform, piles and associated infrastructure on the foreshore at Schull Harbour, Co. Cork. It is intended to install two floating pontoon units. The first pontoon (the landing pontoon) will be located at the end of the access gangway and will create a 3m x 2m space. The second pontoon (the berthing pontoon) will be positioned perpendicular to the landing pontoon and will be 20m in length and 5m wide. This will be used for berthing and access / egress of boat users. The pontoons will be anchored by a system of 323.9mm diameter tubular steel piles. The piles will be anchored socketed into the bedrock and the pontoons will connect to the piles via a guide bracket. A 25m x 1.5m gangway will connect the landing pontoon to a fixed platform which will connect the top pf the gangway to the land. The platform will be supported by a concrete plinth on the land side and 2 tubular steel piles on the seaward side. The gangway will be fitted with 1.5m high handrails on either side. An access gate will be located on the fixed platform. A disability access hoist will be fitted to the pontoon to provide full disability access to pontoon. Appropriate lighting and safety equipment will also be provided.

The location and details of the proposed structures are shown in the following drawings submitted by the applicant:

- Drawing No. CM1020_MA_DWG_F001_00, “Location Map”, dated 27/03/2017
- Drawing No. CM1020_MA_DWG_F002_01, “Foreshore Lease Map”, Rev 01, dated 17/05/2017
- Drawing No. CM1020_MA_DWG_F003_00, “Site Plan”, dated 27/03/2017
- Drawing No. CM1020_MA_DWG_F004_00, “Plan of Structures”, dated 27/03/2017
- Drawing No. CM1020_MA_DWG_F005_00, “Cross Sections”, dated 27/03/2017

The total area of foreshore involved is 776m2

The pontoon, which would be available for use by all harbour users, would be located circa 67m from Schull Pier with the aim of easing congestion at the pier. It is envisaged that the location of the pontoon would assist the separation of leisure activities from fishing and commercial activities in the harbour area.

It is noted that no dredging will be required for the installation of the pontoons. Additionally it is noted that the applicant has advised that there are a number of existing swing moorings located at the site of the proposed pontoon which the applicant proposes to relocate with the agreement of the swing mooring owners. No information, however, has been provided on the location of these existing moorings or on the locations to where it is intended to relocate these moorings. This is matter that DHPCLG may wish to consider further.

Considering the nature, scale, and location of the proposed development the Marine Institute is of the view that it is not likely to have an adverse impact on the marine environment or on other legitimate uses / users of the area and has no objections to a lease being granted.

It is recommended that the following Conditions should be attached to any licence that may issue:
1. The Lessee shall use that part of the Foreshore, the subject matter of this lease, for the purposes as outlined in the application and for no other purposes whatsoever.
2. The Lessee shall adopt appropriate methods of operation in order to ensure that no spillages of hydrocarbons, cement or other hazardous substance occur to the Foreshore during the course of the works.
3. The Lessee shall ensure that adequate litter collection facilities are provided to collect all litter and disposal of all litter shall be to a licensed waste disposal site in accordance with the relevant waste disposal legislation.
4. The pontoon shall be used for temporary and short term berthing of boats and leisure craft only. Long term berthing at the pontoon shall not be permitted.
5. Refuelling or maintenance of vessels at the pontoon shall not be permitted.

**Applicants response 14/8/2017**

We have no objections to the conditions proposed by the Marine Institute.

Cork County Council have liaised with the three swing mooring occupiers that will be affected by the development and have agreed relocation of the swing moorings as follows:

<table>
<thead>
<tr>
<th>Number</th>
<th>Co-ordinates of Existing Mooring</th>
<th>Owner of Mooring</th>
<th>Co-Ordinates of agreed relocation of mooring</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>N51°31.528’ W 009°32.597’</td>
<td>Connie Griffin, Schull 086 1694705</td>
<td>N51°31.521’ W009°32.622’</td>
</tr>
<tr>
<td>2</td>
<td>N51°31.531’ W009°32.607’</td>
<td>Tadgh O’Callaghan, Schull <a href="mailto:Tmocallaghan2005@eircom.net">Tmocallaghan2005@eircom.net</a> 086 2387166</td>
<td>N 51°31.531’ W 009°32.528’</td>
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<td>John Molloy, Schull <a href="mailto:jmflooring@eircom.net">jmflooring@eircom.net</a> 087 2772698</td>
<td>N 51°31.558’ W 009°32.561’</td>
</tr>
</tbody>
</table>

**Table 1 Agreed Mooring Relocation”**

**Marine Survey Office**

14/6/2017

- This office has no objections from a navigational viewpoint to the above application.

- In order for charts and nautical publications to be updated the applicant is required to inform the British Admiralty Hydrographic Office at Taunton, UK, of the location and nature of the proposed works. customerservices@ukho.gov.ie

- **The applicant is required** to arrange the publication of a local marine notice. This local marine notice should give a general description of operations and approximate dates of commencement and completion. An advertisement in a locally read newspaper will suffice.

- The Pontoon is to be suitably illuminated at all times.
Sea Fisheries Protection Authority
24/8/2017
SFPA have no objections regarding this application.

DAFM

DAFM initial comments of 24/7/2017

There may be some disruption to fishing vessels which use the harbour area for berthing and landing of catch during the installation works. In this regard it is recommended that the applicants be required to liaise with the fishing industry users of the area to discuss and agree appropriate arrangements during the course of the works.

Sufficient advance notice of works should be given to any commercial fishermen who have fishing gear or moorings in the area. Commercial fishermen who are displaced from moorings because of this development should be offered access to berths at the new town pontoon.

Applicants response

Cork County Council have liaised with the three swing mooring occupiers that will be affected by the development and have agreed relocation of the swing moorings as follows:

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</table>

Table 1 Agreed Mooring Relocation

DAFM final comments 16/8/2017

Further to applicants response DAFM has no further observations to make on this application.

Inland Fisheries Ireland

IFI initial comments of 29/6/2017

The construction design is positive in regard to reducing or eliminating two potential sources of disturbance for aquatic habitat and biota:

- Use of auger to drill holes for the mooring piles eliminates the use of pile driving with the adverse association of noise transmission into water and potential disturbance to
fish and to marine mammals (listed as Annex II Qualifying Interests in the SAC containing the site of works)

- Pouring of concrete only WITHIN the mooring pile, to a level with the surrounding rock, should eliminate potential for concrete escapement into water.

The mitigation measures listed in Section 4.1.1 and 4.1.5 of the Screening Report are positive and should be included as conditions in foreshore licence.

IFI welcomes the mitigation measures incorporated into the construction process, as listed above.

IFI has no issues with this proposal.

While not an IFI-related item, IFI wonders at the seemingly-short length of the proposed pontoon at 20m length. The access gangway is set at 25 m length, in context of clearance to reach adequate water depth. Given the high level of leisure activity mentioned in documentation supplied, the pontoon length of 20m does seem short.

**Applicants response**

- The dimensions of the proposed pontoon are limited by the water depths at the site and the adjacent foreshore application under consideration by the Marine Planning and Foreshore Section;
- We have no further comments to make regarding IFI’s observations.

**IFI final comments 15/8/2017**

As stated by IFI, we were simply curious at the apparent short length of the proposed pontoon. I am not aware of the “the adjacent foreshore application under consideration by the Marine Planning and Foreshore Section”.

IFI has no further comment.

**NPWS**

**Applicants final response: 29/9/2017**

We have no further objections to the recommendations made by DCHG and have no further comment to make.

**NPWS final comments of 13/9/2017**

Having considered the further information as supplied with respect to the previous archaeo-geophysical survey undertaken, the following is the revised Underwater Archaeology recommendations of the Department of Culture, Heritage and the Gaeltacht.

**Archaeological Monitoring:**

The services of a suitably qualified archaeologist with marine/underwater experience shall be engaged to carry out the archaeological monitoring of the terrestrial works, specifically the excavation of any topsoil, subsoil or foreshore material (apart from bedrock) during the course of the works. The monitoring shall incorporate a metal detection assessment as part of a Find’s Retrieval Strategy of all removed spoil (comprising earth and other organic/estuarine material apart from rock).
The archaeological monitoring and metal detection assessment shall be licenced under the National Monuments Acts 1930-2004 and the licence application shall be accompanied by a detailed methodology and impact statement.

The monitoring archaeologist shall have the power to have work suspended in an area where potential archaeology is identified and no works shall recommence until the potential archaeology has been fully resolved. In this event, the Underwater Archaeology Unit shall be contacted immediately.”

Applicants response 15/8/2017
Underwater Archaeology

We respectfully request that Underwater Archaeology Unit review their requirement to carry out an Underwater Archaeological Impact Assessment for the following reasons:

- 3 No. piles of 323.9mm diameter will be driven into the bedrock. This will occupy approximately 0.25m² of foreshore in total. The maximum expected overburden depth in this area is 2m so the likelihood of items of archaeological value being uncovered are low;

- A Marine geo-archaeological survey was carried out for the adjacent Schull Community Harbour Development Company foreshore application (ref FS005852, available at [http://www.housing.gov.ie/sites/default/files/foreshore-applications/application-documents/eis-apprendices h i j k.pdf]). This survey covered FS005852 foreshore lease area. The survey report concluded the following:
  - “No archaeological features were identified during the intertidal survey of the development area.
  - Two anomalies, M1 and m2, were interpreted from the magnetometer survey of the development area. These anomalies are respectively attributed to the existing jetty in Schull Harbour and a number of fishing vessels at anchor.
  - Many anomalies are interpreted from 500kHz side-scan sonar data acquired in the survey of the proposed marina development. However these sites are interpreted as non-archaeological in nature, attributable to chains, mooring blocks and drag marks.
  - Considering the potential for buried archaeology in the area, and the obvious morphological disturbance caused by the previous developments in Schull Harbour, there is potential for the new development to uncover buried archaeology, potentially at risk from mooring apparatus, in the event of erosion.”

And recommended:

- “The proposed marina development should proceed at Schull Harbour, Co. Cork
- Procedures for archaeological monitoring of the excavation and or dredging phase of the development to be agreed with the Maritime Unit of the Department of the Environment, Heritage and Local Government prior to the start of engineering works.”

Nature Conservation
We have no further comments to make.
NPWS initial comments of 20/7/2017

**Underwater Archaeology**

Having reviewed the application, the following are the recommendations of the Underwater Archaeology Unit based on the potential of Schull Harbour as a historic port that has a long history of maritime activity. There is the potential that sites (*in situ* wrecks, wreck material or associated artefacts) could be located within the footprint of the proposed pontoon development. It is therefore recommended that an Underwater Archaeological Impact Assessment (UAIA) be undertaken in advance to inform the proposed impact of the development.

- The services of a suitably qualified, licence-eligible underwater archaeologist be engaged to carry out the UAIA and which shall comprise foreshore wading, terrestrial walkover visual survey and associated metal detection survey of all areas due to be impacted by the proposed work.
- The wade survey shall be carried out at optimum Spring tides to allow for the maximum extent of area for the pontoon to be assessed. If areas remain subtidal, then an underwater archaeological dive survey shall be undertaken to assess those areas.
- The UAIA shall be licenced and the licence application shall contain a detailed Method Statement.
- On completion of the UAIA, a report shall be submitted to the Underwater Archaeology Unit and for consideration and further comment.
- It shall be noted that if potential or identifiable archaeology is encountered during the course of the UAIA, then further archaeological requirements may issue in the form of *in situ* preservation (avoidance), preservation by record (archaeological testing/excavation) or archaeological monitoring of the proposed pontoon works.

**Nature Conservation**

The Department have no recommendations or comments on the above mentioned Licence application.

**Engineering obs**

Applicants response

Further to meeting last week & subsequent internal Council meeting, I have been advised that conditions, as listed in your email of 9/10/17, below are acceptable to Cork County Council.

WMA further obs of 9/10/2017

To ensure the proper and safe management of the facility Cork County Council shall provide a Harbour Management plan for approval prior to installation of the pontoon facility. The plan should provide for;

- The safe management and regulation of the pontoon facility.
- The safe navigation of craft to and from the pontoon facility.
- The separation of leisure boat users from commercial fishing activities on the main pier.
The Harbour Management Plan is subject to annual review.

Cork County Council propose placing a 20m floating pontoon with access gangway to the north of the existing pier at Schull, County Cork. The pontoon is to provide access and berthing facilities for the large number of leisure boats that are moored in Schull Harbour. Currently leisure users, commercial fishing boats, ferry boats etc. all use the existing pier at Schull. There are perhaps up to 200 leisure boat moorings in Schull harbour and having all boat users accessing via the existing pier has meant that at peak summer season there is major congestion at the pier. The pontoon is proposed to be used only as a pick up and drop off facility there is to be no long term berthing of craft of any type at the pontoon.

Proposed use of the Pontoon.

1. Assess to boats on swing moorings. As there is no marina in Schull all boats are kept on swing moorings. This requires that boat owners have dinghy ashore which is used to row or motor to the boat on the mooring. The moored boat can then be brought to the proposed pontoon to collect people, equipment supplies etc. The dinghy is generally left on the mooring while the boat is in use and is used for the return trip to shore. The dinghies are stored ashore in an area adjacent to the slipway or taken away by the boat owner as they are small, light and generally inflatable. Safety and navigation issues can arise if boat owners were to leave their dinghy berthed to the pontoon.

2. Short term visitor access. Many day tripping motor boats such as large ribs will use the pontoon to visit Schull. These visits are of short duration less then one hour and if the boat users wish to stay longer or overnight they should make use of a swing mooring in order to ensure safe access to the pontoon is maintained.

3. Pick up and drop off of ferry passengers, sightseers, whale watchers, divers etc.

The proposed facility is much needed however there is a major potential for impacts on existing moorings and harbour users if the facility is not managed correctly particularly at peak season. The pontoon facility must be actively managed to ensure that dinghies, visiting boats, local boats etc. do not simply tie at the pontoon and walkway. If this is allowed to occur it will lead to the rafting up of many boats at the pontoon causing major congestion, health and safety concerns as boat users clamber across other boats to reach the pontoon and would effectively increase the size of the pontoon leading to unacceptable encroachment on existing adjacent moorings. The only way to ensure that the pontoon is actively managed is that the Council must provide a Harbour Constable for the months of May to September inclusive.

Assessment

The works if completed as proposed and with appropriate management by a Harbour
Constable it will not have significant adverse impacts on navigation, fisheries or the environment and it is in the public interest.

**Recommendation**

I recommend approval of this application for a foreshore lease subject to the following:

- The Drawing Titled Foreshore Lease Map, Drawing No: CM1020_MA_DWG_F002_01, Rev: 01, Date: 17/05/2017 should be attached to a reference in the lease document,
- The works shall be conducted in accordance with documents and drawings submitted by the applicant.
- The pontoon is for pick up and drop off only. There shall be no berthing of any craft for longer than 1 hour on the North East, South East and South West faces of the pontoon.
- To ensure the proper and safe management of the facility Cork County Council shall provide a Harbour Constable in Schull for the months of May to September inclusive each year.
- The Department shall be notified 2 weeks prior to any works proceeding