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Submission to the Independent Aquaculture Licence Review Group

To whom it may concern,

As a stakeholder in the Industry, we welcome the formation of this Independent Review Group on Licensing.

We are a land based aquaculture company, based on the Beara Peninsula, which is licence for shellfish and finfish production. Our facility was built in 2007 and would be considered unique in Ireland and indeed Europe.

We received our first licence in 2005, seeking a review in 2011 and receiving this decision in July 2015, 4 months before our original licence expired. We were then informed that we must apply for a License renewal, even though the licence had left the process, less than 6 months previously. We applied in February 2016 for renewal and review of our licence and are currently, once more in the licensing process.

It is our experience that the current licensing system is not fit for purpose. The licensing system is the single biggest impediment to the development of the Aquaculture Industry. It does not reflect commercial timeframes or fiscal reality.

Land based aquaculture production is possibly the most straight forward production method, compared to sea site production. We need planning permission to build a facility, the local authority control and monitor our effluent discharge and the Department of Marine can visit and inspect the complete operation 365 days of the year. We control all the input and can account for all the outputs, including waste, while having negligible effect on the environment, apart from our building footprint.

Given the fully controllable nature of land based aquaculture farming, you might imagine that the licensing and renewal of such a licence should be straight forward, timely and efficient.

Unfortunately this is not the case. The review of our licence was commenced in 2011 with the licence being issued in July 2015. We sought to have several new species added to the licence, with production levels set, by our existing Effluent Discharge license parameters and existing aquaculture production criteria. You would imagine that the adding species to a licence in these circumstances should not be major issue, indeed throughout the process of internal and public

consultation; we received **NO** objections, of any description. This was a very straightforward application, with no objections and passed through the system in as fast as the system would allow, almost 4 years.

If we look at international best practice, we would highlight the case of the Scottish Licensing system.

Niri Scotland Ltd, applied for full planning permission and aquaculture licensing, for a land based salmon farm, to Argyll and Bute Council (14/00839/PP).

The application was made on the 01/04/2014 and the application and decision granted on the 30/07/2014, four months after submission. The Scottish system for-fills all European directives, and maintains all the criteria of internal and external consultation, that we would find in Ireland.

When we compare the system in Scotland, with that in Ireland. First of all you must apply to your county counsel, for your planning permission and discharge licences, you then must apply for your Aquaculture licence and foreshore licence (for a sea water pump), we are not permitted by the Department of Marine to apply in parallel, for planning permission and aquaculture licence. Planning takes, at worst, 9 months followed by licensing which will take at least 2.5 to 3.5 years. So a commercial entity looking at a land based project in Ireland will have to factor in a 3.5 to 4.5 years for the application process.

It is obvious, faced with a 4 month process verses 4 years, where a potential investor will look first.

We also have sea site applications seaweed and mussel production. All has been in the system for more than 3 years, with very little visibility of where they sit in the application process, and how long before we might expect a decision.

We do not expect that this licence review group can transform the existing system overnight. We have no expectation that the existing system can ever attain the efficiencies of International best practice, but we would hope that there might be an opportunity to improve the current situation.

The following are areas might deserve some consideration

Resources – *Though we have never heard a complaint about the lack of resources from the Aquaculture licensing section of the Department of Marine, it might be useful to allocate further human resources, until such time as the existing back log of licences is completely removed. Once the back log has been dealt with, then normal resources should be sufficient.*

Fixed Time Frames - *It is requested that the licensing authority publish a clearly defined set of steps assigned to the licence application process with accompanying timelines which guarantees a turnaround from licence application to determination within 12 months from application.*

Consultation Period - *It is requested that the required notice periods for statutory and public consultation should run concurrently.*

Information Scope - *It is requested that the licensing authority clearly defines, in advance of an application, the full scope of all information and other consents that it will require from the applicant in order to make a licence determination.*

Case officers - *It is requested that the revised licensing regulation provides for a specific case officer for each licence application, to provide a single point of communication and liaison and full transparency regarding application progress.*

Tenure - It is requested that aquaculture licences are provided for a period of at least 20 years, with the powers of revocation clearly defined and understood.

EIS Requirements - It is requested that an additional EIS and application will not be required for a change in licence terms where no significant increase in environmental impact will result.

Process streamlining - It is requested that the licensing and compliance functions within the Department be separated and that a dedicated team is appointed from within the Department's licensing authority which has a specific remit of achieving the streamlining of the licensing process.

Grant Eligibility – It is requested that the licensing Review Group look at the situation, where a company or individual has held a licences for at least 10 years, has had no issues with the licence during the period and is within the renewal process. But does not qualify for Grant Aid, even thou they are allowed to operate at the discretion of the Minister and subject to all the stipulations of the previous license. Unfortunately, generally speaking renewals can take between 3 to 5 years to be processed. This timeframe is outside of the operator's control. This puts Irish companies at a distinct commercial disadvantage, compared to our European competitors.

The licensing System for Aquaculture needs to be robust and clear-cut. All aquaculture producers would agree with this statement. The problem arises when we can see our European colleagues, who have the same stringent regulations to for fill, being able to attain licensing in a fraction of the time. The current licensing system is responsible for the stagnation of our Industry; it has set us back 15 years in Industry terms. It is important to aquaculture producers to work with the environment, that they operate within and maintain the high standards that are associated with Irish aquaculture products. We are not afraid of management and stringent controls; we are food producers and understand the consequences to the consumer, our reputations and the reputation of Brand Ireland.

Generally speaking, we want to develop our industry, create more jobs and develop the economies of our rural, generally coastal communities. It is reprehensible that the future of the Aquaculture sector, is being put in jeopardy by a Government Departments inability to process applications in a timely manner, whatever the season or whatever the requirement. We hope that the Licence review Group can identify the logjams in the system and instigate the required change. As an industry we do not have high expectations, we do not expect the best system in Europe, we would be satisfied with a better System that actually works. Finally we would like to ask the Licensing group to once move consider the Scottish Time frame, 4 months versus 4 years in Ireland, and consider how they would grow a business under these circumstances.

Please do not hesitate to contact us for further information

Yours sincerely

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