



Energy for
generations

ELECTRICITY SUPPLY BOARD
BORD SOLATHAIR AN LEICTREACHAIS

ESB, Fisheries Conservation, Ardnacrusha, Co. Clare, V94 VR0K

061-359090 | 087-0525103 | fisheries@esb.ie

ELECTRICITY SUPPLY BOARD
BORD SOLATHAIR AN LEICTREACHAIS

Boating Licence 2022 Terms and Conditions

Please retain a copy of these Terms and Conditions for your reference

THIS IS TO CERTIFY THAT: the applicant for boating permit (hereinafter called "the Licensee") will be granted permission by ESB (hereinafter called "the Licensor") during the period **1st January 2022 to 31st December 2022** subject to the conditions and power of revocation hereinafter mentioned during hours of daylight to maintain and use upon the water of Assaroe/Innischarra/Pollaphuca Reservoirs (as applicable) a canoe or rowing or sailing boat or a boat with an outboard motor not exceeding 6 horsepower ("Permitted Craft") and otherwise kept on Board lands in the Reservoir environs secured as in Clause 7 hereof and removed at the end of this period, even if it is intended to renew the Licence unless express permission in writing is granted in advance. This Licence is issued upon the following express conditions:

1. The terms & conditions of this Licence are binding on the Licensee, his executors', administrators and dependents and all persons claiming under him or them including all persons who may at his invitation or by his permission use the Permitted Craft. It shall be the duty of the Licensee to fully notify all such persons of the said conditions herein contained.
2. The Licensee is, subject to strict compliance with the terms and conditions hereof hereby granted the non-exclusive right and licence and at the Licensee sole risk to travel by means of Permitted Craft on the Reservoir and, when not being used, to store the said Permitted Craft on ESB lands adjoining the Reservoir environs secured as in Clause 7 hereof. The Licensee shall ensure that the Permitted Craft is of a construction suitable for use on the Reservoir and shall ensure that all aboard the Permitted Craft are wearing suitable buoyancy aids or life jackets. This Licence is personal to the Licensee and not transferable and the Licensee shall not keep Permitted Craft for hire or hire his Permitted Craft for commercial gain or otherwise.
3. Under no circumstances may the Licensee or any such person as aforesaid:
(a) At Assaroe: approach closer to the dams at Cathaleens Fall or Cliff from an approximate distance of 50 metres. These limits are marked by buoys at these locations.
At Pollaphuca: approach closer to the dam than the start of the narrow headrace, an approximate distance of 200 metres. This limit may be marked by a buoy.



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At Inniscarra: approach closer than to the dam than the start of the narrow headrace, an approximate distance of 350 metres. This limit may be marked by a buoy.

- (b) Cause any damage to or in any way interfere with the said banks or the fences or any other property of the Licensor.
 - (c) Act in a noisy, anti-social or objectionable manner or create any nuisance to other users of the Reservoir or adjoining landowners.
 - (d) Fish in the Reservoir, unless he holds a valid fishing permit to do so.
 - (e) Discharge into the Reservoir any bilge water containing oil, petrol or other type of fuel or any other waste.
 - (f) Use any type of inflatable craft or stand-up paddleboard (SUP)
4. No liability whatsoever is accepted by the Licensor, its officers, servants or agents to compensate any person including the Licensee and/or any such persons as described in paragraph No. 1 hereof for any damage to person or property which may in any way or howsoever occur or arise whether arising directly or indirectly from the granting of this Licence or otherwise howsoever and the acceptance of this Licence shall be deemed to be a waiver by the Licensee and by all such persons as described in paragraph No. 1 hereof of all such claims against the Licensor, its officers, servants, or its agents, even where there has been negligence on the part of the Licensor, its officers, servants or agents. The Licensee shall be deemed to have covenanted to indemnify and keep indemnified for the duration of this Licence or for the period that the Permitted Craft remains on ESB land in the Reservoir environs after expiry of the Licence or while Permitted craft is in ESB possession for any reason whatsoever, the Licensor, its officers, servants and agents against all such claims by any such person or by any other third parties or otherwise arising out of any act or omission of the Licensee or any such persons as described in paragraph No. 1 hereof.
 5. The Licensor shall be under no liability to provide facilities for the crossing of the fences around the Reservoir, or for the mooring of, entry to or exit from any Permitted Craft, or any other facilities whatsoever.
 6. This Licence is not a permit to enter any building of the Licensor.
 7. .1
The Licensee shall ensure that when the Permitted Craft is not in use, it is:
 - (a) At Assaroe: At all times properly secured and padlocked at the designated boat peg area at Laputa to prevent the unauthorised use of same. All permitted craft must be removed daily from the reservoir.
At Pollaphuca and Inniscarra: At all times properly secured and padlocked to a firmly driven stake or a stake fixed in concrete to prevent the unauthorised use of same.
 - (b) If necessary, depending on the level of the reservoir at any time during the licence



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period, placed and secured and kept high and dry on the ESB Lands.

(c) Properly maintained and repaired at all times and all excess rainwater bailed out on a regular basis to avoid the Permitted Craft sinking, and in particular when the Permitted Craft is out of use for a lengthy period of time.

(d) Not improperly moored, misused or abandoned.

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in the event of any breach of the conditions specified at 7.1, this licence shall be automatically revoked at the Licensor's absolute discretion, in circumstances where the Licensee has failed to remedy any breach within 21 days of having been notified of same by the Licensor, the Licensor shall have the full right and entitlement, if necessary and at the Licensee's sole risk and expense, to remove the Permitted Craft to a secure location. Any costs associated with the removal, storage, recovery, and repair of the damage thereof will be charged to the Licensee and the Licensee undertakes with the Licensor to discharge such costs upon demand and receipt of an invoice for same. In such event, the Licensor shall send a notice to the Licensee, (at the last known address furnished by the Licensee), notifying the Licensee of the removal of the Permitted Craft, and that if the Permitted Craft is not claimed by the Licensee or any person acting on his behalf, within 3 months of such removal, such Permitted Craft will be disposed of by the Licensor in accordance with the Licensor's procedures without further notice to the Licensee, and the Licensor shall be entitled to the sale proceeds thereof.

8. In the event of any damage being done to any property of the Licensor directly or indirectly through the act of omission of the Licensee or of any such person as aforesaid, he shall forthwith pay the amount thereof to the Licensor as liquidated damages.
9. The Licensee shall ensure that the Permitted Craft at all times shows visible identification by affixing and clearly displaying the Permit number allotted by the Licensor to the Permitted Craft.
10. Assaroe only: The Licensee may only launch the Permitted Craft from the designated access points at Laputa and Erne Enterprises.
11. The Licensee and all such persons as aforesaid shall obey all further or additional Regulations or conditions which may be from time to time imposed by the Licensor.
12. The Licensor shall have the right at its absolute and sole discretion to revoke this permit for any breach by the Licensee of the terms and conditions set out herein.
13. Where applicable the Licensee shall ensure that all reasonable steps are taken to prevent the spread of the Zebra Mussel and that the Licensee shall ensure that Permitted Craft hull,



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equipment and machinery is inspected for adult Zebra Mussels and foreign plant material prior to use in or on the Reservoir and that no contaminated Permitted Craft and or equipment shall be permitted unless it has been properly cleaned and disinfected.

14. The Licensee acknowledges and understands the possible dangers arising through timber, old trees unforeseen dangers or floating or submerged hazards flooding in the Reservoir, and to the potential danger of mooring boats along the shores of the Reservoir where erosion may have taken place below the water level, for the avoidance of doubt the Licensor for any loss of or damage to property on the Reservoir or any part of ESB lands or thereabouts nor for any injury to or loss of life of any person from any cause whatsoever, whether arising directly or indirectly from the granting of this licence or otherwise howsoever, and in particular but without prejudice to the generality of the foregoing, the Licensor shall not be responsible for any such loss or damage arising out of any of the aforesaid matters.
15. The issue of this Licence is strictly subject to the completed and signed application form submitted with relevant fee(s). no Licence will be deemed to come into existence until the Licensor acknowledges Safe receipt of same and subsequent issue of physical permit alongside a confirmation letter.
16. Breach of any of the conditions of this Licence may result in Permitted Craft being removed from ESB land in the Reservoir environs as per clause 7.2 above. In this event the Gardai will be informed.

Further information can be found online at <https://esb.ie/what-we-do/generation-and-trading/esb-fishery-information>, or by contacting ESB Fisheries by phone or email using the contact details at the top of the page.

By order of the Licensor; ESB Fisheries, Ardnacrusha, Co. Clare.



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Please return the completed form including appropriate permit fee to the Fisheries Admin Officer at the address above.

Boat Permit Application 2022

First Name: _____

Surname: _____

Address: _____

Phone No: _____

Email: _____

Boat Type:

PLEASE NOTE - INFLATABLE CRAFT OR STAND-UP PADDLEBOARD OF ANY KIND ARE NOT PERMITTED

Lake Boat (€ 60) Please state craft horsepower (where relevant): _____

Sailing Boat (€60)

Canoe (€25)

Kayak (€25)

Other (€60) Please specify: _____

Deposit for access gate key (€20) - Inniscarra or Asseroe only:

CHEQUES/POSTAL ORDER TO BE MADE PAYABLE TO ESB

Deposits for access gate keys (if required) must be made out to ESB and included with the appropriate craft licence fee.

Location for Permit:

Pollaphuca (season runs November - September)

Inniscarra/Asseroe (season runs January - December)

Having carefully read and understood the Terms & Conditions relating to my application for a Licence, the Electricity Supply Board shall licence me to use a Permitted Craft (as defined in the Terms & Conditions) on the Reservoir for the period of the above year and having had the opportunity to obtain any professional advice in relation to same, I hereby understand and irrevocably accept the conditions under which the said Licence will be granted to me.

Signed: _____

Dated: _____