

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

Email:- saveballynessbay@gmail.com

29 November 2021

Our Ref: AP3/2020
Site Ref: T12/407B

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph M Coll for authorisation to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/407B in Ballyness Bay, Co. Donegal

Dear Mr Connaghan,

I refer to the above Appeal which was received in this office on 2 January 2020.

A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, (“the Act”), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

In accordance with the requirements of Section 44(1) of the Act, copies of each of the other appeals received by the Board are attached. Section 44(2) of the Act entitles the Minister and each other party, except the Appellant, to make submissions or observations in writing to the Board in relation to the appeal within a period of 30 days beginning on the day on which a copy of the Notice of Appeal is sent to that party by the Board. If you wish to make any submissions or observations in relation to this other appeal, these must be made in writing and received by the Board on or before 30 December 2021 being the period of 30 days from the date of this letter. Submissions or observations received by the Board after that date shall not be considered by it.

Please note particularly that you are not entitled to elaborate in writing on, or make further submissions in writing in relation to the grounds of appeal stated in your notice of appeal or to submit further grounds of appeal, and any such elaboration, submissions or further grounds of appeal received by the Board shall not be considered by it. This is provided for in Section 41(3) of the Act.

Cúirt Choill Mhínsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5
Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5

Section 56(2)(a) of the Fisheries (Amendment) Act 1997 requires that the Board endeavour to determine an Appeal within a period of four months beginning on the date of receipt by the Board of the Notice of Appeal.

The Aquaculture Licences Appeals Board reviewed this timescale at its meeting on 25 November 2021 and has formed the view it will not be in position to determine this Appeal by that date due to the complexity of the matters and the requirement to commission technical advice.

Having done so, the Board hereby gives notice, as provided for in Section 56(3) of the Act, of its intention to determine the Appeal by 30 June 2022.

The Board has not yet determined whether to accede to the request for an oral hearing. I shall be in touch with you further once the Board has determined whether or not an oral hearing is required.

This notice is being copied to all parties to the Appeals.

Yours sincerely



Antoinette Conroy
Secretary to the Board

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Joseph Coll,
Hillcrest,
Meenlaragh,
Gortahork,
Co. Donegal

Email:- josephcoll10@gmail.com

29 November 2021

Our Ref: AP3/2020
Site Ref: T12/407B

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph M Coll for authorisation to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/407B in Ballyness Bay, Co. Donegal

Dear Mr Coll,

I refer to the above Appeal which was received in this office on 2 January 2020

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Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP3/2020
Site Ref: T12/407B

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph M Coll for authorisation to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/407B in Ballyness Bay, Co. Donegal

Dear Minister,

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Antoinette Conroy
Secretary to the Board

cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



John Boyle,
Magheraroarty,
Gortahork,
Letterkenny,
Co. Donegal

Email:- johnboyle@hotmail.co.uk

29 November 2021

Our Ref: AP4/1/2020
Site Ref: T12/409A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Edward and Paul O'Brien to cultivate clams on wooden trays under mesh on site ref T12/409A in Ballyness Bay, Co. Donegal

Dear Mr Boyle,

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An Bord Achomhairc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Edward & Paul O'Brien,
Magheraroarty,
Gortahork,
Co Donegal

29 November 2021

Our Ref: AP4/1/2020
Site Ref: T12/409A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Edward and Paul O'Brien to cultivate clams on wooden trays under mesh on site ref T12/409A in Ballyness Bay, Co. Donegal

Dear Sirs,

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Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP4/1/2020
Site Ref: T12/409A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Edward and Paul O'Brien to cultivate clams on wooden trays under mesh on site ref T12/409A in Ballyness Bay, Co. Donegal

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cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

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Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

Email: saveballynessbay@gmail.com

29 November 2021

Our Ref: AP4/2/2020
Site Ref: T12/409A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Edward and Paul O'Brien for authorisation to cultivate clams on wooden trays under mesh (T12/409A) and Pacific Oyster using bags and trestles & Clams on wooden trays under mesh (T12/409B) on the inter-tidal/sub-tidal foreshore on site refs T12/409A and T12/409B in Ballyness Bay, Co. Donegal

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Edward & Paul O'Brien,
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29 November 2021

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Site Ref: T12/409A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Edward and Paul O'Brien to cultivate clams on wooden trays under mesh on site ref T12/409A in Ballyness Bay, Co. Donegal

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Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5

Guthán/Telephone: 057 8631912 R-phost/Email: info@alab.ie Láithreán Gréasáin/Website: www.alab.ie

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Minister for Agriculture, Food and the Marine
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Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

Email:- saveballynessbay@gmail.com

29 November 2021

Our Ref: AP5/2020
Site Ref: T12/409B

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Edward and Paul O'Brien for authorisation to cultivate clams on wooden trays under mesh (T12/409A) and Pacific Oyster using bags and trestles & Clams on wooden trays under mesh (T12/409B) on the inter-tidal/sub-tidal foreshore on site refs T12/409A and T12/409B in Ballyness Bay, Co. Donegal

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Cúirt Choill Mhínsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5
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Section 56(2)(a) of the Fisheries (Amendment) Act 1997 requires that the Board endeavour to determine an Appeal within a period of four months beginning on the date of receipt by the Board of the Notice of Appeal.

The Aquaculture Licences Appeals Board reviewed this timescale at its meeting on 25 November 2021 and has formed the view it will not be in position to determine this Appeal by that date due to the complexity of the matters and the requirement to commission technical advice.

Having done so, the Board hereby gives notice, as provided for in Section 56(3) of the Act, of its intention to determine the Appeal by 30 June 2022.

The Board has not yet determined whether to accede to the request for an oral hearing. I shall be in touch with you further once the Board has determined whether or not an oral hearing is required.

This notice is being copied to all parties to the Appeals.

Yours sincerely



Antoinette Conroy
Secretary to the Board

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP5/2020
Site Ref: T12/409B

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Edward and Paul O'Brien for authorisation to cultivate clams on wooden trays under mesh (T12/409A) and Pacific Oyster using bags and trestles & Clams on wooden trays under mesh (T12/409B) on the inter-tidal/sub-tidal foreshore on site refs T12/409A and T12/409B in Ballyness Bay, Co. Donegal

Dear Minister,

I refer to the above Appeal which was received in this office on 2 January 2020.

A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, ("the Act"), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

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Antoinette Conroy
Secretary to the Board

cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Edward & Paul O'Brien,
Magheraroarty,
Gortahork,
Co Donegal

29 November 2021

Our Ref: AP5/2020
Site Ref: T12/409B

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Edward and Paul O'Brien for authorisation to cultivate clams on wooden trays under mesh (T12/409A) and Pacific Oyster using bags and trestles & Clams on wooden trays under mesh (T12/409B) on the inter-tidal/sub-tidal foreshore on site refs T12/409A and T12/409B in Ballyness Bay, Co. Donegal

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Secretary to the Board

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

Email:- saveballynessbay@gmail.com

29 November 2021

Our Ref: AP6/2020
Site Ref: T12/441A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Anthony McCafferty for authorisation to cultivate Pacific Oysters using bags and trestles and Clams using trays under mesh on site ref T12/441A and Pacific Oysters using bags and trestles on site refs T12/441B and T12/441C on the foreshore in Ballyness Bay, Co. Donegal

Dear Mr Connaghan,

I refer to the above Appeal which was received in this office on 2 January 2020.

A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, (“the Act”), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

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Secretary to the Board

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Anthony McCafferty,
Glasserchoo,
Gortahork,
Co Donegal

29 November 2021

Our Ref: AP6/2020
Site Ref: T12/441A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Anthony McCafferty for authorisation to cultivate Pacific Oysters using bags and trestles and Clams using trays under mesh on site ref T12/441A and Pacific Oysters using bags and trestles on site refs T12/441B and T12/441C on the foreshore in Ballyness Bay, Co. Donegal

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Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP6/2020
Site Ref: T12/441A

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cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

Email:- saveballynessbay@gmail.com

29 November 2021

Our Ref: AP7/2020
Site Ref: T12/441B

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Anthony McCafferty for authorisation to cultivate Pacific Oysters using bags and trestles and Clams using trays under mesh on site ref T12/441A and Pacific Oysters using bags and trestles on site refs T12/441B and T12/441C on the foreshore in Ballyness Bay, Co. Donegal

Dear Mr Connaghan,

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Anthony McCafferty,
Glasserchoo,
Gortahork,
Co Donegal

29 November 2021

Our Ref: AP7/2020
Site Ref: T12/441B

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Anthony McCafferty for authorisation to cultivate Pacific Oysters using bags and trestles and Clams using trays under mesh on site ref T12/441A and Pacific Oysters using bags and trestles on site refs T12/441B and T12/441C on the foreshore in Ballyness Bay, Co. Donegal

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Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5

Guthán/Telephone: 057 8631912 R-phost/Email: info@alab.ie Láithreán Gréasáin/Website: www.alab.ie

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Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP7/2020
Site Ref: T12/441B

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Anthony McCafferty for authorisation to cultivate Pacific Oysters using bags and trestles and Clams using trays under mesh on site ref T12/441A and Pacific Oysters using bags and trestles on site refs T12/441B and T12/441C on the foreshore in Ballyness Bay, Co. Donegal

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cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

Email: saveballynessbay@gmail.com

29 November 2021

Our Ref: AP8/2020
Site Ref: T12/441C

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Anthony McCafferty for authorisation to cultivate Pacific Oysters using bags and trestles and Clams using trays under mesh on site ref T12/441A and Pacific Oysters using bags and trestles on site refs T12/441B and T12/441C on the foreshore in Ballyness Bay, Co. Donegal

Dear Mr Connaghan,

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The Aquaculture Licences Appeals Board reviewed this timescale at its meeting on 25 November 2021 and has formed the view it will not be in position to determine this Appeal by that date due to the complexity of the matters and the requirement to commission technical advice.

Having done so, the Board hereby gives notice, as provided for in Section 56(3) of the Act, of its intention to determine the Appeal by 30 June 2022.

The Board has not yet determined whether to accede to the request for an oral hearing. I shall be in touch with you further once the Board has determined whether or not an oral hearing is required.

This notice is being copied to all parties to the Appeals.

Yours sincerely



Antoinette Conroy
Secretary to the Board

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Anthony McCafferty,
Glasserchoo,
Gortahork,
Co Donegal

29 November 2021

Our Ref: AP8/2020
Site Ref: T12/441C

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Anthony McCafferty for authorisation to cultivate Pacific Oysters using bags and trestles and Clams using trays under mesh on site ref T12/441A and Pacific Oysters using bags and trestles on site refs T12/441B and T12/441C on the foreshore in Ballyness Bay, Co. Donegal

Dear Mr McCafferty,

I refer to the above Appeal which was received in this office on 2 January 2020.

A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, (“the Act”), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

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Yours sincerely



Antoinette Conroy
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An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP8/2020
Site Ref: T12/441C

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Anthony McCafferty for authorisation to cultivate Pacific Oysters using bags and trestles and Clams using trays under mesh on site ref T12/441A and Pacific Oysters using bags and trestles on site refs T12/441B and T12/441C on the foreshore in Ballyness Bay, Co. Donegal

Dear Minister,

I refer to the above Appeal which was received in this office on 2 January 2020.

A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, (“the Act”), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

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Cúirt Choill Mhinsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5
Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5

Guthán/Telephone: 057 8631912 R-phost/Email: info@alab.ie Láithreán Gréasáin/Website: www.alab.ie

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Antoinette Conroy
Secretary to the Board

cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

Email:- saveballynessbay@gmail.com

29 November 2021

Our Ref: AP9/2020
Site Ref: T12/455A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Seamus O'Donnell to cultivate Pacific Oysters using bags and trestles on the foreshore on site ref T12/455A and T12/455B in Ballyness Bay, Co. Donegal.

Dear Mr Connaghan,

I refer to the above Appeal which was received in this office on 2 January 2020.

A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, ("the Act"), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

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Antoinette Conroy
Secretary to the Board

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Seamus O'Donnell,
Ballyconnell,
Falcarragh,
Co Donegal

29 November 2021

Our Ref: AP9/2020
Site Ref: T12/455A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Seamus O'Donnell to cultivate Pacific Oysters using bags and trestles on the foreshore on site ref T12/455A and T12/455B in Ballyness Bay, Co. Donegal.

Dear Mr O'Donnell,

I refer to the above Appeal which was received in this office on 2 January 2020.

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An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP9/2020
Site Ref: T12/455A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Seamus O'Donnell to cultivate Pacific Oysters using bags and trestles on the foreshore on site ref T12/455A and T12/455B in Ballyness Bay, Co. Donegal.

Dear Minister,

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Antoinette Conroy
Secretary to the Board

cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

Email:- saveballynessbay@gmail.com

29 November 2021

Our Ref: AP10/2020
Site Ref: T12/455B

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Seamus O'Donnell to cultivate Pacific Oysters using bags and trestles on the foreshore on site ref T12/455A and T12/455B in Ballyness Bay, Co. Donegal.

Dear Mr Connaghan,

I refer to the above Appeal which was received in this office on 2 January 2020.

A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, ("the Act"), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

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Secretary to the Board

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Seamus O'Donnell,
Ballyconnell,
Falcarragh,
Co Donegal

29 November 2021

Our Ref: AP10/2020
Site Ref: T12/455B

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Seamus O'Donnell to cultivate Pacific Oysters using bags and trestles on the foreshore on site ref T12/455A and T12/455B in Ballyness Bay, Co. Donegal.

Dear Mr O'Donnell,

I refer to the above Appeal which was received in this office on 2 January 2020.

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Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP10/2020
Site Ref: T12/455B

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant a variation Aquaculture Licence to Seamus O'Donnell to cultivate Pacific Oysters using bags and trestles on the foreshore on site ref T12/455A and T12/455B in Ballyness Bay, Co. Donegal.

Dear Minister

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cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

Email:- saveballynessbay@gmail.com

29 November 2021

Our Ref: AP11/2020
Site Ref: T12/500A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/500A in Ballyness Bay, Co. Donegal.

Dear Mr Connaghan,

I refer to the above Appeal which was received in this office on 2 January 2020.

A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, (“the Act”), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

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Yours sincerely



Antoinette Conroy
Secretary to the Board

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Joseph Coll,
Hillcrest,
Meenlaragh,
Gortahork,
Co. Donegal

29 November 2021

Our Ref: AP11/2020
Site Ref: T12/500A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/500A in Ballyness Bay, Co. Donegal.

Dear Mr. Coll,

I refer to the above Appeal which was received in this office on 2 January 2020.

A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, (“the Act”), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

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The Aquaculture Licences Appeals Board reviewed this timescale at its meeting on 25 November 2021 and has formed the view it will not be in position to determine this Appeal by that date due to the complexity of the matters and the requirement to commission technical advice.

Having done so, the Board hereby gives notice, as provided for in Section 56(3) of the Act, of its intention to determine the Appeal by 30 June 2022.

The Board has not yet determined whether to accede to the request for an oral hearing. I shall be in touch with you further once the Board has determined whether or not an oral hearing is required.

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Yours sincerely



Antoinette Conroy
Secretary to the Board

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP11/2020
Site Ref: T12/500A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/500A in Ballyness Bay, Co. Donegal.

Dear Minister

I refer to the above Appeal which was received in this office on 2 January 2020.

A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, (“the Act”), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

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Secretary to the Board

cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

Email:- saveballynessbay@gmail.com

29 November 2021

Our Ref: AP12/2020
Site Ref: T12/502A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the foreshore on site ref T12/502A in Ballyness Bay, Co. Donegal.

Dear Mr Connaghan,

I refer to the above Appeal which was received in this office on 2 January 2020.

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Secretary to the Board

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Joseph Coll,
Hillcrest,
Meenlaragh,
Gortahork,
Co. Donegal

Email:- josephcoll10@gmail.com

29 November 2021

Our Ref: AP12/2020
Site Ref: T12/502A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the foreshore on site ref T12/502A in Ballyness Bay, Co. Donegal.

Dear Mr. Coll,

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Cúirt Choill Mhínsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5
Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5

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Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP12/2020
Site Ref: T12/502A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the foreshore on site ref T12/502A in Ballyness Bay, Co. Donegal.

Dear Minister

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cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Coiste Glan agus Glas an Fhál Carraigh &
Cósta Glan agus Glas an Fhal Carraigh,
Cill Ulta,
An Fál Carrach,
Co. Dún na nGall

Email:- mnicgairbhe@gmail.com

29 November 2021

Our Ref: AP13/1/2020
Site Ref: T12/510A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Tullyshellfish Ltd. to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/510A in Ballyness Bay, Co. Donegal.

Dear Ms Uí Bhaoil,

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An Bord Achomhairc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Tullyshellfish Ltd.,
c/o Michael and Fergal Havlin,
Tullyally,
Redcastle,
Co. Donegal

29 November 2021

Our Ref: AP13/1/2020
Site Ref: T12/510A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Tullyshellfish Ltd. to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/510A in Ballyness Bay, Co. Donegal.

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Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP13/1/2020
Site Ref: T12/510A

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cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Falcarragh Tourists & Traders Association,
c/o Mr Eamonn Shields,
Ballina,
Falcarragh,
Co. Donegal

Email:- info@celticards.ie

29 November 2021

Our Ref: AP13/2/2020
Site Ref: T12/510A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Tullyshellfish Ltd. to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/510A in Ballyness Bay, Co. Donegal.

Dear Mr Sheilds,

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Tullyshellfish Ltd.,
c/o Michael and Fergal Havlin,
Tullyally,
Redcastle,
Co. Donegal

29 November 2021

Our Ref: AP13/2/2020
Site Ref: T12/510A

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Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP13/2/2020
Site Ref: T12/510A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Tullyshellfish Ltd. to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/510A in Ballyness Bay, Co. Donegal.

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Cúirt Choill Mhínsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5
Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5

The Aquaculture Licences Appeals Board reviewed this timescale at its meeting on 25 November 2021 and has formed the view it will not be in position to determine this Appeal by that date due to the complexity of the matters and the requirement to commission technical advice.

Having done so, the Board hereby gives notice, as provided for in Section 56(3) of the Act, of its intention to determine the Appeal by 30 June 2022.

The Board has not yet determined whether to accede to the request for an oral hearing. I shall be in touch with you further once the Board has determined whether or not an oral hearing is required.

This notice is being copied to all parties to the Appeals.

Yours sincerely



Antoinette Conroy
Secretary to the Board

cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Tullyshellfish Ltd.,
c/o Michael and Fergal Havlin,
Tullyally,
Redcastle,
Co. Donegal

29 November 2021

Our Ref: AP13/3/2020
Site Ref: T12/510A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Tullyshellfish Ltd. to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/510A in Ballyness Bay, Co. Donegal.

Dear Sirs,

I refer to the above Appeal which was received in this office on 2 January 2020.

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Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

Email:- saveballynessbay@gmail.com

29 November 2021

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Site Ref: T12/510A

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Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP13/3/2020
Site Ref: T12/510A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Tullyshellfish Ltd. to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/510A in Ballyness Bay, Co. Donegal.

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Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

[Email:- saveballynessbay@gmail.com](mailto:saveballynessbay@gmail.com)

29 November 2021

Our Ref: AP14/2020
Site Ref: T12/514A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/514A in Ballyness Bay, Co. Donegal.

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Joseph Coll,
Hillcrest,
Meenlaragh,
Gortahork,
Co. Donegal

Email:- josephcoll10@gmail.com

29 November 2021

Our Ref: AP14/2020
Site Ref: T12/514A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/514A in Ballyness Bay, Co. Donegal.

Dear Mr. Coll,

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Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

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c/o Mr John Connaghan,
Killult,
Falcarragh,
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F92 N6X6

Email:- saveballynessbay@gmail.com

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Email:- josephcoll10@gmail.com

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Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

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Mr. Joe Friel,
Killult,
Falcarragh,
Letterkenny,
Co. Donegal.
F92 YV61

Email:- joefriel@gmail.com

29 November 2021

Our Ref: AP16/1/2020
Site Ref: T12/516A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/516A in Ballyness Bay, Co. Donegal.

Dear Mr Friel,

I refer to the above Appeal which was received in this office on 2 January 2020.

A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, (“the Act”), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

In accordance with the requirements of Section 44(1) of the Act, copies of each of the other appeals received by the Board are attached. Section 44(2) of the Act entitles the Minister and each other party, except the Appellant, to make submissions or observations in writing to the Board in relation to the appeal within a period of 30 days beginning on the day on which a copy of the Notice of Appeal is sent to that party by the Board. If you wish to make any submissions or observations in relation to this other appeal, these must be made in writing and received by the Board on or before 30 December 2021, being the period of 30 days from the date of this letter. Submissions or observations received by the Board after that date shall not be considered by it.

Please note particularly that you are not entitled to elaborate in writing on, or make further submissions in writing in relation to the grounds of appeal stated in your notice of appeal or to submit further grounds of appeal, and any such elaboration, submissions or further grounds of appeal received by the Board shall not be considered by it. This is provided for in Section 41(3) of the Act.

Section 56(2)(a) of the Fisheries (Amendment) Act 1997 requires that the Board endeavour to determine an Appeal within a period of four months beginning on the date of receipt by the Board of the Notice of Appeal.

The Aquaculture Licences Appeals Board reviewed this timescale at its meeting on 25 November 2021 and has formed the view it will not be in position to determine this Appeal by that date due to the complexity of the matters and the requirement to commission technical advice.

Having done so, the Board hereby gives notice, as provided for in Section 56(3) of the Act, of its intention to determine the Appeal by 30 June 2022.

The Board has not yet determined whether to accede to the request for an oral hearing. I shall be in touch with you further once the Board has determined whether or not an oral hearing is required.

This notice is being copied to all parties to the Appeals.

Yours sincerely



Antoinette Conroy
Secretary to the Board

cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Joseph Coll,
Hillcrest,
Meenlaragh,
Gortahork,
Co. Donegal

Email:- josephcoll10@gmail.com

29 November 2021

Our Ref: AP16/1/2020
Site Ref: T12/516A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/516A in Ballyness Bay, Co. Donegal.

Dear Mr Coll,

I refer to the above Appeal which was received in this office on 2 January 2020.

A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, (“the Act”), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

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Secretary to the Board

cc Ms Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP16/1/2020
Site Ref: T12/516A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/516A in Ballyness Bay, Co. Donegal.

Dear Minister,

I refer to the above Appeal which was received in this office on 2 January 2020.

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Secretary to the Board

cc Sinead McSherry, Aquaculture and Foreshore Management Division

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Joseph Coll,
Hillcrest,
Meenlaragh,
Gortahork,
Co. Donegal

Email:- josephcoll10@gmail.com

29 November 2021

Our Ref: AP16/2/2020
Site Ref: T12/516A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/516A in Ballyness Bay, Co. Donegal.

Dear Mr. Coll,

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A total of eighteen appeals (18) appeals have been received in relation to licence applications in Ballyness Bay Co, Donegal. Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, (“the Act”), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all 18 appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

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Secretary to the Board

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Save Ballyness Bay S.A.C Action Group,
c/o Mr John Connaghan,
Killult,
Falcarragh,
Co. Donegal
F92 N6X6

Email:- saveballynessbay@gmail.com

29 November 2021

Our Ref: AP16/2/2020
Site Ref: T12/516A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/516A in Ballyness Bay, Co. Donegal.

Dear Mr Connaghan,

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Secretary to the Board

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Mr Charlie McConalogue TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

29 November 2021

Our Ref: AP16/2/2020
Site Ref: T12/516A

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Joseph Coll to cultivate Pacific Oysters using bags and trestles on the inter-tidal foreshore on site ref T12/516A in Ballyness Bay, Co. Donegal.

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