

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe  
Aquaculture Licences Appeals Board**



Department of the Environment, Climate and Communications  
Earlsvale Road  
Cavan  
H12 A8H7  
Attention Tom O'Brien, Inland Fisheries Division

[Tom.O'Brien@decc.gov.ie](mailto:Tom.O'Brien@decc.gov.ie)

13 January 2022

Our Ref: AP11/2019

Site Ref: T08/106 B, C & D

**Re: Appeal against the decision of the Minister for Agriculture, Food, and the Marine to refuse to grant a Licence to Moyasta Oysters for authorisation to cultivate Pacific Oysters using bags and trestles/hanging baskets and trestles on sites T08/106 B, C&D at Querrin, Poulasherry Bay and Cammoge South, Shannon Estuary, Co Clare**

Dear Mr O'Brien

We refer to your response dated 18 November 2021 to the Notice issued by the Aquaculture Licences Appeals Board ("the Board") pursuant to section 47(1)(a) of the Fisheries (Amendment) Act, 1997, on 12 October last ("the Notice").

The Board has considered the response and while it notes its contents, the response does not address the specific request or provide the information sought in the Notice.

The Board again requests any information your Department holds on levels and area of use of oyster orders active in the Lower River Shannon, and specifically for Sites T08/004A, T08/004B & T08/008. This information can take any form, for example, dredge licences issues etc.

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](mailto:info@alab.ie)

Láithreán Gréasáin/Website: [www.alab.ie](http://www.alab.ie)

As previously indicated, should any clarification of the request in this Notice be required, please contact the Board's Technical Advisor, Dr Ciar O'Toole, on 087 4097160 or at [ciar.otoole@alab.ie](mailto:ciar.otoole@alab.ie).

In accordance with section 47 (1) (a) of the Act, the Board requires this information within 30 days of receipt of this letter but would appreciate a response as soon as possible.

Yours sincerely



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Antoinette Conroy  
Secretary to the Board

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

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27 January 2022

Ms. Antoinette Conroy,  
Secretary to Aquaculture Licences Appeals Board,  
Kilminchy Court,  
Dublin Road,  
Portlaoise,  
Co. Laois.  
R32 DTW5

**Site Reference T08/106 B, C and D**

Dear Antoinette,

I refer to your correspondence of 13 January 2022 in relation to matters before the Aquaculture Licence Appeals Board as regards the site referenced above.

I consider that this Department has provided information to ALAB as required, to enable its deliberations within its own remit to be carried out. You might note the clarifications sought in my letter of 18 November 2021 which have not yet been responded to. The relevance of any consideration of the extent and frequency of the use of long-established rights under Oyster Orders is not readily apparent in the context of an appeal of a refusal to grant an aquaculture licence. There is no information that the existence or ongoing exercise of these rights was a consideration in the Minister's (AFM) decision to refuse the original application to ground an appeal to ALAB on these specific issue. I would be grateful to receive this information.

For the avoidance of doubt, I can confirm that the rights exist, are, I understand, availed of currently and it is, in this Departments view, not appropriate that other activity, including aquaculture activity, over these areas is permitted. The only manner in which these rights can be altered is via a decision of the Minister for the Environment, Climate and Communications.

DECC is willing to discuss the issues with ALAB to resolve matters.

Yours sincerely,

Tom O'Brien  
Inland Fisheries Division

01 6782051  
Tom.O'Brien@DECC.Gov.ie