

## AQUACULTURE LICENCES APPEALS BOARD

FISHERIES (AMENDMENT) ACT 1997 (AS AMENDED AND SUBSTITUTED)

Appeal Reference Number: **AP1/1-147/2025**

### DETERMINATION

**WHEREAS** appeals having been made to the Aquaculture Licences Appeals Board ("**the Board**") pursuant to Section 40 of the Fisheries (Amendment) Act, 1997 (as amended and substituted ("**the Act**") by **Appellants** (listed in Appendix 1) against the decision of the Minister for Agriculture, Food and the Marine ("**the Minister**") to **GRANT** an Aquaculture Licence to Woodstown Bay Shellfish ("**the Applicant**"), on site ref: T05/472A for the bottom cultivation of mussels on a site on the foreshore at Kinsale Harbour, Co. Cork. ("**the Site**").

**AND WHEREAS** The Board in considering the appeals took account of the appeals, the file provided to it by the Minister and the Appropriate Assessment Screening Reports provided to the Board as part of the Minister's file.

The Board considered this appeal at a series of board meetings from when the appeal was received to the determination date, including meetings on the following dates: 21 July 2025, 23 July 2025, 21 August 2025, 12 September 2025, 6 October 2025, 12 November 2025, 17 December 2025, 29 January 2026, 28 April 2026, 25 May 2026 and 16 June 2026.

### **SECTION 47 REQUEST**

The Board determined that further information was required in order to allow the Board to determine the appeals and in accordance with Section 47(1)(a) of the Act the Board, on the 23 of December 2025, requested that the following information be provided by the Applicant no later than 8 May 2026:

1. Annex 4 Risk assessment Status Report
2. Water framework Directive Report
3. Marine Strategy Framework Directive Report
4. Overarching statement documents in relation to the National Maritime Planning Framework, the National Biodiversity Action Plan, UNCLOS and Climate Action objectives.

5. Additional information:

- a) Planned input volume of mussel seed in tonnes per annum and the maximum volume of mussels both juvenal and adult on site at any given time (total biomass).
- b) Details of any potential impact from the proposed activity on leisure activities in the Harbour and in the vicinity of the Jaley's Cove amenity area and how any such impacts are to be mitigated.
- c) Details of any potential fouling impact due to the proposed project particularly regarding the potential infiltration of mussel larvae into marine engine systems and how any such impacts are to be mitigated.
- d) Details of any potential impact from the proposed activity on existing fisheries and fish stocks in the vicinity of the proposed project and how any such impacts are to be mitigated.
- e) Details of any potential impact to the local economy and tourism.
- f) Details of any impacts from dredging due to the potential presence of heavy metals and hydrocarbons and how any such impacts are to be mitigated.
- g) Details of any impact on public health due to shellfish contamination arising from the proximity of wastewater treatment facilities and how any such impacts are to be mitigated.
- h) Details in both written and map format of the proposed loading and unloading locations, the vessel transportation route from the proposed site to the loading and unloading locations and whether the applicant envisages any further proposed land-based project interactions and if so, details of same.
- i) Details of any impact to marine navigation including but not limited to any impacts on the shipping channel due to sedimentation/siltation and how any such impacts are to be mitigated. Applicant to confirm that no navigable inter-tidal channels or slips/piers are to be impeded, that the proposed project will not result in obstructions of any kind above the seabed and that no moorings or marker buoys will be placed on the site.
- j) A detailed Invasive Species Contingency Plan which shall identify methods for the removal from the environment of any invasive non-native species introduced due to the proposed project.
- k) A detailed Protocol for Archaeological Discoveries to mitigate impacts in the event of any unexpected archaeological discoveries made during the operation of the proposed project.

No further information as requested has been received by the Board nor has the Applicant sought any additional period of time within which to furnish the requested informatio

## APPROPRIATE ASSESSMENT (AA) NOTICE

The Board determined that a Supporting Information for Screening for Appropriate Assessment Report (SISAAR) and a Natura Impact Statement (NIS) were necessary to allow the Board to carry out a Stage 1 screening for AA and a Stage 2 AA in respect of the project the subject of the appeals. Pursuant to Section 42(3) of S.I. No. 477/2011: European Communities (Birds and Natural Habitats) Regulations 2011, as amended, the Board requested a Supporting Information for Screening for Appropriate Assessment Report (SISAAR) and a NIS from the Applicant on the 23 of December 2025. The SISAAR and NIS were requested to be provided no later than 8 May 2026.

The AA notice letter stated that the applicant was given notice that, *pursuant to Regulation 42(4) of the 2011 Regulations, unless the Aquaculture Licences Appeals Board otherwise directs, where you fail to furnish the above information within the period specified above, or any additional period that may be agreed by the Aquaculture Licences Appeals Board, your application shall be deemed to be withdrawn.*

No SISAAR and NIS as directed by the AA notice have been received by the Board nor has the Applicant sought any additional period of time within which to furnish the required SISAAR and NIS.

As a consequence, the Applicant's application for an Aquaculture Licence is deemed to be withdrawn by virtue of the provisions of Regulation 42(4) of the 2011 Regulation and this Appeal is determined accordingly.

Dated this 16<sup>th</sup> day of June 2026

The affixing of the Seal of the  
**AQUACULTURE LICENCES APPEALS BOARD**  
was authenticated by: -



Chair



Authorised Signatory

**APPENDIX 1 – List of Appellants**

Appeal Number	Lead appellant	Group name	Appellants
AP1/1/2025	Matthias Hellstern		
AP1/2/2025	Maria O Mahony	Dock Swimmers	Laura O Mahony
			Shelia Murphy
			Seos McKinnon
			Janice Crausaz
			Frances Dalton
			Eithne Nolan
			Mairead Roberts
			Colm Dalton
			Carolanne Crosbie
			Natacha Farley
AP1/3/2025	No Name Provided	Kinsale and Dock Rowing Club	
AP1/4/2025	Mercedes Garcia Serrano		Isobel Hoya,
			Aoife Campbel
			Amanda Diaz Bonito,
			Mat Dingemans,
			Tina Bertolletti
			Charlye Breen
AP1/5/2025	Colette Boland		
AP1/6/2025	Nicholos Condon		
AP1/7/2025	Louise Nugent		Sara Mulcahy
AP1/8/2025	Clare Boyle		Margie Hill
			Una McIntosh
			Karla Crowley
			Deirdre Lacey
			Michelle Ackerlind
			Linda Cummins
			Mary Hayes
			Margo O Leary
			Catrina Lordan
			Rita O'Clerigh

Appeal Number	Lead appellant	Group name	Appellants
AP1/9/2025	Declan Boyle		
AP1/10/2025	Patricia Stephans		Norma Nyhan Clodagh Murray Tracey Roche Tony McGillicuddy Susan Power Sinead Moore.
AP1/11/2025	John Mooney		
AP1/12/2025	Niall O Donovan		
AP1/13/2025	Heather Kehoe		
AP1/14/2025	Brid Kenny		
AP1/15/2025	Anne Cooney		
AP1/16/2025	Joanna Gill	Ardbrack Heights Owners and Residents Community	
AP1/17/2025	Barry Fitzsimons		
AP1/18/2025	Elton O Hea		
AP1/19/2025	Michael O Shea		Ray & Bernadette Cummins & Family Billy & Ciara Waters & Family Brent Knudsen Derote Ligas John & Deanna McGowan & Family
AP1/20/2025	Seamus Palmer		Sharon Palmer
AP1/21/2025	Philip Horgan		Josephine Horgan
AP1/22/2025	Elizebeth Timmons		
AP1/23/2025	Mark D. Lynch		

Appeal Number	Lead appellant	Group name	Appellants
AP1/24/2025	Kevin Ogden		Carlien de Vries
AP1/25/2025	Laura Peare		David Peare
AP1/26/2026	Christine MacAuley		
AP1/27/2025	Jeremy Hutchinson		Meagan Hutchinson
AP1/28/2025	Agnes McLaverty	Bulman Dippers	
AP1/29/2025	Christopher Mark Hayward		
AP1/30/2025	Tom O'Leary		Colette O'Leary
AP1/31/2025	Paul Swanton		
AP1/32/2025	Kathryn Jordan		Elizabeth Kavanagh Marguerite Condon Patricia Elliot Jill Herlihy Sally Thelen Marcia Wrixon Colette Boland Claudia Johnston Miriam McCann Jennifer Skyne
AP1/33/2025	Mr. Michael Murphy		Mrs. Michael Murphy Mr & Mrs. Clwyd Evans
AP1/34/2025	Elma O Sullivan		
AP1/35/2025	Declan Fox		
AP1/36/2025	Katarina Fabritius		
AP1/37/2025	David Cullinane		
AP1/38/2025	David Tucker		Meta Tucker
AP1/39/2025	David O Sullivan		

Appeal Number	Lead appellant	Group name	Appellants
AP1/40/2025	Paul McGovern		Olivier Cueva
			Nora Magyar
			Atilla Magyar
			Nial Steward
			Laura Brannigan
			Jo Gallagher
			Susan Skelly McGovern
			Paul McGovern,
			Tim Guest
			Mary Guest.
AP1/41/2025	Commodore Anthony Scannell		
AP1/42/2025	Martin Hargrove		
AP1/43/2025	Ted Power		
AP1/44/2025	Paul Moody		Wendy Moody
AP1/45/2025	Melissa O'Gorman		
AP1/46/2025	Edmond J McCarthy		
AP1/47/2025	Mervyn Shaw		Rosemary Shaw
AP1/48/2025	Jane Walkington- Elis		
AP1/49/2025	Leonora Bishop		Kathy Bishop Gillen
			Mandy Bishop
			Lisa Bishop
			Michael Bishop
AP1/50/2025	Sara Scully		
AP1/51/2025	Judith Macklin		Martin Hurley
			Valerie Stallard
			John Stallard
			Anthony Griffin
AP1/52/2025	Thomas O'Leary		

Appeal Number	Lead appellant	Group name	Appellants
AP1/53/2025	Isabel Conway Nagel		
AP1/54/2025	Sinead Riome	Castlepark Residents	David Riome
AP1/55/2025		Future Kinsale CLG	
AP1/56/2025	Deirdre Gibson	Kinsale Mermaids	
AP1/57/2025	Carol Heaslip	Kinsale Harbour Guardians	Sophi Byrne Sinead Cliffe Juliette Cotter Michael Curran Andrew Dillon Maria Fox Victor Fusco Ruth Ennis Dirk Herberich Helen Hynes Louise Kane Buckley Tara Lohors Frances Lynch Eileen McFarland Winifread McKenna Sheila O'Callaghan James O'Keeffe June McCabe Maeve O'Keeffe Nikki Greene
AP1/58/2025	Michael Murphy		
AP1/59/2025	Gerard Wrixon		
AP1/60/2025	Rupert Jolley		
AP1/61/2025	Clo O'Riordan		Connie Browne Alaistair Christie Yvonne Dalton, Frances Lynch Joanna McCarthy

Appeal Number	Lead appellant	Group name	Appellants
			Aileen McGinn
			Helen Medway
			Donna O'Connor
			Aideen O'Riordan
			Tom O'Riordan
			Carmel O'Sullivan
			Nancy Reilly
			Margaret Riordan
			Stephanie Seltsmann
			Mala Shah
			Bogna Siegel-O'Keeffe
			Isabelle Sutton
			Georgina Sutton
			Dervilla Wrynn
			Alexis Bannerman
AP1/62/2025	Angela Mary Doyle		
AP1/63/2025	Anthony Greenway		Peter Fitzgerald Michael Fitzgerald
AP1/64/2025	Bernard Bareham		
AP1/65/2025	Susan Webster		Liz Burgess Anne Marie O'Donnell
AP1/66/2025	Rosie Cargin		
AP1/67/2025	David Vincent Doyle		
AP1/68/2025	James Matthews		
AP1/69/2025	Emer O'Sullivan		
AP1/70/2025	June Matthews		
AP1/71/2025	John A Elliott		
AP1/72/2025	Kevin Goggin		Mary Goggin
AP1/73/2025	Michael Barry		

Appeal Number	Lead appellant	Group name	Appellants
AP1/74/2025	Caroline Forde	Gill Goode	
AP1/75/2025	Ronalyn Kermode		Antony Osmond
AP1/76/2025	Eamon Judge		
AP1/77/2025	Angela Windle		
AP1/78/2025	Brian Roberts	Kinsale Wellness on Water Ltd	
AP1/79/2025	Aoife Hayes		Brian Hayes John Barrett Rowena Barrett Patrick Carolan Christina Carolan Bridget Mui Tim Mui
AP1/80/2025	Evelyn O'Riordan	Residents of Sean Hale Terrace	Luca Pentek Shiela Cramer Sarah Carrol Vanessa Collins, Nuala Wright Ciara Roberts Kriska Pentek Kim Sloley
AP1/81/2025	Carolanne Crosbie		John Dilloughery Jennifer Buckley Clem Buckley Daniel Buckley Oisin Tegeler
AP1/82/2025	Rebecca Clark		Michael Clark
AP1/83/2025	Joanne Blennerhassett	Kinsale Scilly Environment	Gerard Farrell Felicity Farrell Tom Quick Michael Donnell

Appeal Number	Lead appellant	Group name	Appellants
			Lhara O'Connor
			Brent Dornford
			Liz Morgan
			Rory McCarthy
			Sarah McCarthy
			Daragh Keating
			John Maher
			Aine Kelly
			Noreen Finnamore
			Bruce Finnamore
			Catherine Wilson
			Frank Hill
			Seamus Cooke
			Kate Cooke
			Ashley Wilson
			Colette O'Leary
			Dr Tom O'Leary
			Rowan O'Mahoney
			Emma O'Mahoney
			Hugh Quarry
			Wendy Quarry
AP1/84/2025	Declan Corrigan		
AP1/85/2025	Una Leader		Bobby Nash
			Richard Callinan
			Pat Salter
			Padraig McGillicuddy
			Kevin Downing
			Marie Crowley
			Paul Kenny
			Philip Murphy
			Catherine O'Brien
			Stephen Kearney
			Julia Kearney
AP1/86/2025	Mary McCarthy		Mary Crowley
			Kathy Etty
			Mark Etty
			Claire O'Brien
			Andrea Sajtos
			Zoltan Balacs
			Siobhan Healy
			Erica Murphy

Appeal Number	Lead appellant	Group name	Appellants
			Cian Walsh
			Angela Heenan,
AP1/87/2025	Suzanne Burns		Sabrina Morley Lewis
			Kevin O'Riordan
			Sarah Massolini,
			Emily Keane
			Frank Keane,
			Varun Ganguly Kumar
			Shannon Healy
			Michael Healy
			Simon Prim
			Loretto Kennedy
AP1/88/2025	Susan Huggins		Dee O'Kelly
			Liz Corti
			Lynn Harding
			Sadhbh Barrett Crowley
			Claire O'Regan
			June Fairhead
			Geraldine O'Leary
			Niamh Edwards
			Triona Buckley
AP1/89/2025	John Stanley		
AP1/90/2025	John Collins		
AP1/91/2025	Aoife Collins		
AP1/92/2025	Sara Ekins		Iain Williamson
AP1/93/2025	Ruth O'Connell	Ballinacubby Residents & Surrounds	B Collins
			Michael McCarthy
			Mary E
			Mary Corcoran
			Madeline Lovell
			Honeme Price
			Bridget Price
			John Wilcox
			Jennifer Price
			Teresa Condon
			Maria O'Mahony

Appeal Number	Lead appellant	Group name	Appellants
			Megan Kelleher
			Sabrina O'Connell
			Ann Arnapp
			Denis Arnapp
			Noreen Condon
			Richard Kelly
			Pat Brady
			Saoirse O'Mahony
			Phil O'Connor
			William McCarthy
			Edward Hurley
			Christina Butler
			Pat Eaton
			Lisa Lombard
			Billy Lynch
			Michelle Crosbie
			Bard O'Connell
			David O'Connell
			Fiona Gimblett
			Wendy Allison
AP1/94/2025	Paul Ryan		
AP1/95/2025	Mary Fagan		Tom Fagan
AP1/96/2025	Giles Brennand		
AP1/97/2025	Kinsale Good Food Circle - Kinsale Restaurants	Kinsale Good Food Circle - Kinsale Restaurants	
AP1/98/2025	Siobhan Byrne		
AP1/99/2025	Alan Scully		
AP1/100/2025	Friends of the Irish Environment	Friends of the Irish Environment	
AP1/101/2025	Marie O'Sullivan	Members of Bandon Kinsale Municipal District	Gillian Coughlan
			Alan Coughlan
			Ann Bambury
			John Michael Foley
			John Collins

Appeal Number	Lead appellant	Group name	Appellants
AP1/102/2025	Anna Hosford,		Chris Baker Carmel Walsh
AP1/103/2025	Sara Moylan		
AP1/104/2025	James Conron		
AP1/105/2025	Carmel Murphy		Owen Murphy Faye Murphy
AP1/106/2025	Orla Mhic Athlaoich		
AP1/107/2025	Virgil Horgan		
AP1/108/2025	Siobhan Bowden		David Bowden
AP1/109/2025	Sandra Lajous Mundy		Jessica Mundy Aaron Mundy Darius Mundy
AP1/110/2025	Seán Wrixon		Ken Harte Eleanor Moore Claire Jones Trish Horgan
AP1/111/2025	Anthony Hayes		
AP1/112/2025	Muireann Lawlor		
AP1/113/2025	Liz O'Connell	Castlepark Kinsale Residents Association Ltd	
AP1/114/2025	Kinsale Craft Brewery Ltd T/A Blacks of Kinsale	Kinsale Craft Brewery Ltd T/A Blacks of Kinsale	
AP1/115/2025	Brian Goggin		
AP1/116/2025	Sandra Buckley		
AP1/117/2025	Anne Maxwell		
AP1/118/2025	Liam Edwards		Jim Edwards
AP1/119/2025	Ronan Nagle		

Appeal Number	Lead appellant	Group name	Appellants
AP1/120/2025	Marc Ó'Riain	Petitioners	
AP1/121/2025	Stephen Galvin		Ruth Galvin
AP1/122/2025	Michael O'Connor		Eileen Moloney
AP1/123/2025	Per Fitzgerald	Kinsale Forest Club	Mary Connolly Nicholas Cargin Maeve O'Connor
AP1/124/2025	Margaret O'Mahoney		Declan Greenway Willie O'Brien
AP1/125/2025	Trident Hotel Kinsale		
AP1/126/2025	Actons Hotel Kinsale		
AP1/127/2025	Declan Curtin		
AP1/128/2025	Caroline Matthews		
AP1/129/2025	Cork County Council c/o Engineers Section	Cork County Council c/o Engineers Section	
AP1/130/2025	Pauline O'Brien		
AP1/131/2025	Deirdre Mullins		Kathy Mullins Tadg Mullins Dermot Ryan
AP1/132/2025	Haven Bay Care Centre	Haven Bay Care Centre	
AP1/133/2025	Carroll O'Donoghue		
AP1/134/2025	Helen Finucane		Susie Travers Linda Jordan Robert Jordan
AP1/135/2025	The Environmental Forum	The Environmental Forum	
AP1/136/2025	Aileen Mann		

Appeal Number	Lead appellant	Group name	Appellants
AP1/137/2025	Cork Sub Aqua Club	Cork Sub Aqua Club	
AP1/138/2025	Colin O'Brien	Kinsale Triathlon Club	
AP1/139/2025	Dermot Ryan	Kinsale History Society	
AP1/140/2025	Dermot Ryan		
AP1/141/2025	Brendan Kellett		Carmel Buckley Donna Endean Alan Buckley
AP1/142/2025	Niamh O Connell		Denis O'Connell
AP1/143/2025	John Twomey		Mary Twomey Mariel Kelleher Mark Kelleher Janice Nolan James Nolan
AP1/144/2025	Peter O Reilly		
AP1/145/2025	Mark O Rourke		Thomas Davis
AP1/146/2025	Jason Nash	Bandon Angling Club	
AP1/147/2025	Mary Collins		Michael Collins