

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe  
Aquaculture Licences Appeals Board



Anthony McCafferty,  
[REDACTED]  
[REDACTED]  
[REDACTED]

3 February 2020

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 and Foreshore 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,

Please see attached Notice of Appeal received by the Aquaculture Licences Appeals Board (ALAB) in relation to the above. The Notice is served in accordance with the provisions of Section 44(1) of the Fisheries (Amendment) Act, 1997 (No 23).

In accordance with the provisions of Section 44(2), you may 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 you. Any submissions or observations received by the Board after the expiration of that period shall not be taken into consideration.

In this instance your reply, if any, should reach the Board at the above address not later than **4<sup>th</sup> March 2020**. As part of the decision-making process, the Board may also authorise an inspection of the site(s) under appeal.

Yours sincerely,

Handwritten signature of Mary O'Hara in cursive script.

Mary O'Hara  
Secretary to the Board

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



Mr Michael Creed TD  
Minister for Agriculture, Food and the Marine  
Agriculture House  
Kildare Street  
Dublin 2

9 January 2020

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 and Foreshore 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

Attached please find copies of an appeal received for determination by the Aquaculture Licences Appeals Board, forwarded in accordance with Section 43(1) of the Fisheries Amendment Act 1997, ("the Act").

[Pursuant to Section 42 (1) of 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 two appeals as a single appeal, as they relate to the same licence application. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.]

Please submit to the Board **within 14 days of receipt of this letter** (as required by Section 43(2) of the Act):

- (a) A copy of the aquaculture licence concerned and of any drawings, maps, particulars, evidence, environmental impact statement, other written study or further information received or obtained from the applicant for the licence in accordance with a requirement of or under regulations under the Act.
- (b) A copy of any report prepared for you in relation to the application, revocation or amendment and
- (c) A copy of any document recording your decision in respect of the application, revocation or amendment and of the notification of the decision given to the applicant.

Please include, as part of the above, a location map of the surrounding area to include:

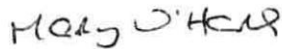
- (i) Sites under application
- (ii) Sites lapsed
- (iii) Licensed sites
- (iv) Sites currently under appeal (if any).

Section 44(2) of the Act entitles you and each other party, except the appellant, 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.

In accordance with the foregoing, I would be grateful if you would:

- (i) Acknowledge receipt of the Board's letter and forward the necessary documentation and
- (ii) Make, if necessary, any submission(s) or observations in accordance with Section 44(2) of the Act in writing to be received by the Board on or before 10<sup>th</sup> February 2020.

Yours sincerely,



Mary O'Hara  
Secretary to the Board

cc Mr John Quinlan