

15th December, 2016

Ref: T12/438

Gary Boyle
Ballymanus
Kincasslagh
Co. Donegal

COPY



Department of
**Agriculture,
Food and the Marine**
An Roinn
**Talmhaíochta,
Bia agus Mara**

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**FISHERIES (AMENDMENT) ACT, 1997 (NO.23)
NOTICE OF MINISTERIAL DECISION TO GRANT AN AQUACULTURE LICENCE
AND FORESHORE LICENCE.**

I would like to inform you that the Minister For Agriculture, Food and the Marine has approved the granting to you of a 10-year Aquaculture Licences and accompanying Foreshore Licences, for the cultivation of Pacific Oysters using bags and trestles on site No. T12/438A, and T12/438B (See attached information note.) I enclose a copy of the public notice of the decision which the Department has arranged to have published in the "Donegal Democrat".

Any person aggrieved by the decision may, in accordance with Section 41 of the Fisheries (Amendment) Act 1997, appeal against it in writing to the Aquaculture Licences Appeals Board. This appeal must be lodged within one month beginning on the date of the publication of the decision.

In addition, a person may question the validity of the Foreshore Licence determination by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at:

<http://www.citizensinformationboard.ie/>

The Licences will be issued to you as soon as possible after the end of the period of one month from the date of publication of the notice in the "Donegal Democrat", if there is no appeal.

Please also find enclosed the conditions that will apply to any Aquaculture Licence that may be issued by the Minister.

Yours sincerely

Brendan Farr

**Aquaculture and Foreshore Management Division
National Seafood Centre, Clogheen, Clonakilty, Co. Cork
Phone: 023 8859514 Email: Brendan.Farr@agriculture.gov.ie**

**S.12 (3) OF THE FISHERIES (AMENDMENT) ACT, 1997(NO.23)
INFORMATION NOTE TO APPLICANT FOR THE PURPOSE OF REGULATION 18
OF THE AQUACULTURE (LICENCE APPLICATION) REGULATIONS 1998**

REFERENCE NO: T12/438

APPLICANT: Gary Boyle

**AQUACULTURE TO WHICH
DECISION RELATES:** Cultivation of Pacific Oysters using bags and
trestles on site T12/438A and T12/438B on the
foreshore in Gweedore Bay, Co. Donegal

NATURE OF DECISION: Grant of Aquaculture Licence.

DATE OF DECISION: 8th December, 2016

CONDITIONS OF LICENCE: See attached.

DURATION OF LICENCE: 10 years

ISSUE OF LICENCE: The licence will be dated and issued
as soon as practicable after the end of the period
of one month from the date of publication of a
notice in a newspaper circulating in the vicinity of
the aquaculture, if no appeal is made to the
Aquaculture Licences Appeals Board within that
period, under Section 40 and 41 of the Fisheries
(Amendment) Act, 1997.

Note: It has been decided to grant the applicant a separate Foreshore Licence
under the Foreshore Act, 1933 (No.12), contemporaneous with the Aquaculture
Licence, subject to standard conditions applicable to Foreshore Licences.

To be inserted in the Donegal Democrat.

FISHERIES (AMENDMENT) ACT, 1997 (NO. 23) FORESHORE ACT, 1933 (NO. 12) NOTICE OF DECISION TO GRANT AQUACULTURE AND FORESHORE LICENCES.

The Minister for Agriculture, Food and the Marine has decided to grant Aquaculture and Foreshore Licences to the following:

File Reference	Applicant	Species and No. of Site(s) and reference
T12/145	Donegal Oceandeep Oysters Ltd	Pacific Oysters using bags and trestles-Eddrim- Mount Charles area of Donegal Bay T12/145A and T12/145B
T12/349	Donegal Oceandeep Oysters Ltd	Pacific Oysters using bags and trestles-Eddrim- Mount Charles area of Donegal Bay T12/349A
T12/243	DonegalOysters Ltd	Pacific Oysters using bags and trestles-Eddrim- Mount Charles area of Donegal Bay T12/243A, T12/145B, T12/243C & T12/243D
T12/346	Donegal Oceandeep Oysters Ltd	Pacific Oysters using bags and trestles-Eddrim- Mount Charles area of Donegal Bay T12/346A
T12/347	Racoo Shellfish Ltd & Bell's Isle Seafoods Ltd	Pacific Oysters using bags and trestles in Inner Donegal Bay T12/347A
T12/410	Thierry Gillardeau & Desmond Moore	Pacific Oysters using bags and trestles- Braade Strand,Gweedore Bay T12/410A & B
T12/419	Celtic Kerber Ltd.	Pacific Oysters using bags and trestles- Braade Strand,Gweedore Bay T12/419A,B & C
T12/430	John Boyle	Pacific Oysters using bags and trestles- Braade Strand, Gweedore Bay T12/430A & B
T12/438	Gary Boyle	Pacific Oysters using bags and trestles-, Gweedore Bay T12/438A & B

The reasons for this decision are elaborated on the Department's website at:

<http://www.agriculture.gov.ie/seafood/aquacultureforeshoremanagement/aquaculturelicensing/aquaculturelicencedecisions/>

An appeal against the Aquaculture Licence decision may be made in writing, within one month of the date of its publication, to THE AQUACULTURE LICENCES APPEALS BOARD, Kilminchy Court, Portlaoise, Co. Laois, by completing the Notice of Appeal Application Form available from the Board, phone 057 86 31912, e-mail info@alab.ie or website at <http://www.alab.ie/>

A person may question the validity of the Foreshore Licence determination by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at: <http://www.citizensinformationboard.ie/>