

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board



Site T6/417A

Appellant: Noel Foley

Appeal



NOTICE OF APPEAL UNDER SECTION 40(1) OF
FISHERIES (AMENDMENT) ACT 1997 (NO. 23)



Appeal Form

**Please note that this form will only be accepted by REGISTERED POST
or handed in to the ALAB offices**

Name of Appellant (block letters)	NOEL FOLEY
Address of Appellant	CROMANE LOWER KILLORGLIN CO KERRY

Phone:		Email:	
Mobile:		Fax:	

Fees

Fees must be received by the closing date for receipt of appeals	Amount	Tick
Appeal by licence applicant	€380.92	X
Appeal by any other individual or organisation	€152.37	
Request for an Oral Hearing * (fee payable in addition to appeal fee) <small>* In the event that the Board decides not to hold an Oral Hearing the fee will not be refunded.</small>	€76.18	X
(Cheques Payable to the Aquaculture Licences Appeals Board in accordance with the Aquaculture Licensing Appeals (Fees) Regulations, 1998 (S.I. No. 449 of 1998))		
Electronic Funds Transfer Details	IBAN: IE89AIBK93104704051067	BIC: AIBKIE2D

Subject Matter of the Appeal

Im Appealing to the board on the decision not to grant me Noel Foley Cromane lower an aquaculture licence for Site Ref # T06/417A.

**AQUACULTURE LICENCES
APPEALS BOARD**

18 OCT 2018

RECEIVED

Please forward completed form to: Aquaculture Licences Appeals Board, Kilminchy Court, Dublin Road, Portlaoise, Co. Laois. Tel: (057) 8631912 Email: info@alab.ie



Site Reference Number:- (as allocated by the Department of Agriculture, Food and the Marine)	T06/417A
Appellant's particular interest in the outcome of the appeal:	
<p>Livelihood - As the mussels industry in Cromane is very slow with the lack of spat fall I need some source of income</p>	
Outline the grounds of appeal (and, if necessary, on additional page(s) give full grounds of the appeal and the reasons, considerations and arguments on which they are based):	
<p>I live in Cromane and involved in the fishing industry all my life, I'm just hoping the decision not to give a licence for this site could be reviewed. Cromane is a small community and I'm trying to give work to my son and hopefully keep him in Cromane because we need to keep the youth in these rural areas for to have any hope to keep them alive football, Rowing etc. I see the french ready to move in and take over the oysters, shouldn't be allowed. just want to live</p>	
Signed by appellant: <u>Noel Daley</u>	Date: <u>Oct 10 - 2015</u>
Please note that this form will only be accepted by REGISTERED POST or handed in to the ALAB offices	
Fees must be received by the closing date for receipt of appeals	

This notice should be completed under each heading and duly signed by the appellant and be accompanied by such documents, particulars or information relating to the appeal as the appellant considers necessary or appropriate and specifies in the Notice.

DATA PROTECTION - the data collected for this purpose will be held by ALAB only for a purpose which is a business or other activity in the public interest on the ALAB website

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Extracts from Act

40.—(1) A person aggrieved by a decision of the Minister on an application for an aquaculture licence or by the revocation or amendment of an aquaculture licence may, before the expiration of a period of one month beginning on the date of publication in accordance with this Act of that decision, or the notification to the person of the revocation or amendment, appeal to the Board against the decision, revocation or amendment, by serving on the Board a notice of appeal.

(2) A notice of appeal shall be served—

(a) by sending it by registered post to the Board,

(b) by leaving it at the office of the Board, during normal office hours, with a person who is apparently an employee of the Board, or

(c) by such other means as may be prescribed.

(3) The Board shall not consider an appeal notice of which is received by it later than the expiration of the period referred to in subsection (1)

41.—(1) For an appeal under *section 40* to be valid, the notice of appeal shall—

(a) be in writing,

(b) state the name and address of the appellant,

(c) state the subject matter of the appeal,

(d) state the appellant's particular interest in the outcome of the appeal,

(e) state in full the grounds of the appeal and the reasons, considerations and arguments on which they are based, and

(f) be accompanied by such fee, if any, as may be payable in respect of such an appeal in accordance with regulations under *section 63*, and

shall be accompanied by such documents, particulars or other information relating to the appeal as the appellant considers necessary or appropriate.

