An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board

Rosemary Purcell,
28 Main Street,
Kenmare,
Co.Kerry

7 February 2020

Our Ref: AP19/2019
Site Ref: T06/201

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to Refuse a Renewal Licence to Rosemary Purcell for the cultivation of oysters using bags and trestles on the intertidal foreshore on Site Ref: T06/201 within Dunkerron Harbour, Upper Kenmare Bay, Co. Kerry

Dear Ms Purcell,

I refer to the above Appeal which was received in this office on 1st November 2019

Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, ("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 four appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

In accordance with the requirements of Section 44(1) of the Act, copies of each of the other appeals received by the Board are attached. Section 44(2) of the Act entitles the Minister and each other party, except the Appellant, to 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. If you wish to make any submissions or observations in relation to this other appeal, these must be made in writing and received by the Board on or before **9th March 2020**, being the period of 30 days from the date of this letter. Submissions or observations received by the Board after that date shall not be considered by it.

Please note particularly that you are not entitled to elaborate in writing on, or make further submissions in writing in relation to the grounds of appeal stated in your notice of appeal or to submit further grounds of appeal, and any such elaboration, submissions or further grounds of appeal received by the Board shall not be considered by it. This is provided for in Section 41(3) of the Act.

Section 56(2)(a) of the Fisheries (Amendment) Act 1997 requires that the Board endeavour to determine an Appeal within a period of four months beginning on the date of receipt by the Board of the Notice of Appeal.

The Aquaculture Licences Appeals Board reviewed this timescale at its meeting on 31st January 2020 and has formed the view it will not be in position to determine this Appeal by that date due to the complexity of the matters and the requirement to commission technical advice.

Having done so, the Board hereby gives notice, as provided for in Section 56(3) of the Act, of its intention to determine the Appeal by 31st December 2020.

The Board has not yet determined whether to accede to the request for an oral hearing. I shall be in touch with you further once the Board has determined whether or not an oral hearing is required.

This notice is being copied to all parties to the Appeals.

Yours sincerely

Mary O'Hara

Mary O'Hara
Secretary to the Board