

AQUACULTURE LICENCES APPEALS BOARD

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*Conor J. Maguire, S.C.
Chairman*

CHAIRMAN'S STATEMENT to the Minister for the Marine and Natural Resources

With the conclusion of another year's work at the Aquaculture Licences Appeals Board, I am pleased, once again, to include my Chairman's Statement in the Board's 4th Annual Report.

The beginning of the year saw the Board move into its new office premises located on the 3rd floor of Holbrook House, Holles Street, Dublin 2. This was a very welcome event, not only for the convenience of the board members and the Secretariat, but more importantly to demonstrate the statutory independence of the Board. I would like to thank all those who were involved in both the organization and preparation of the work required at all stages of this undertaking which, undoubtedly required an amount of time and effort by many individual parties. The opening of our new offices also allowed for an access facility to the public if the need arises in relation to the handing in of appeals directly to the office by any member of the public.

As the year progressed, we expanded our facilities to the public in terms of access to information in relation to decisions made by the Board etc., by acquiring our own web site, which I am confident will be a useful tool as a source of information. Our web site address can be found on the page following this statement. The Secretariat is continuing to develop the information provided on the site and this will be updated on an on-going basis.

This year also saw the approach of the end of the 3-year appointment period for each of the six board members on 29th June, 2001. In response, the Minister re-appointed each member for a period of one additional year to 29 June, 2002. I, on behalf of the Board also met with the Minister on two occasions during the year, as provided for under the Act, to discuss issues of mutual interest and to allow an opportunity for an exchange of views with regard to various aspects of the aquaculture industry and the licensing procedure. Meetings of this nature I believe are always useful from time to time, as they were on these occasions.

We also had a number of changes during the year at both Board membership level as well as Secretariat level.

Firstly, with regard to changes in the Board membership – *Ms Berna Grist*, Deputy Chairperson resigned from the Board on 30th September, 2001 to take up a post at An Bord Pleanála. I know I speak on behalf of all the Board members in wishing Berna every success in her new post and to thank her for her valuable contributions during her term with the Board, both as a member and in her role as Deputy Chairperson. Her post was filled by *Dr Ann Quinn*, previously Deputy Chairperson of An Bord Pleanála, who was appointed with effect from 12 November, 2001 to 29 June, 2003. Dr Quinn is most welcome to the Board and will no doubt bring a considerable amount of experience to it over the coming year.

Secondly, with regard to the changes in the Board's Secretariat - *Mr Eugene Nixon* was appointed as the Board's Technical Inspector on 2 January, 2001. Mr Nixon was previously employed as a senior chemist with the Marine Institute. His appointment was a very welcome one, not just in relation to the necessity for such specialized staffing, but also to ensure the continued delivery of a fair and effective process with regard to Board determinations. Mr Nixon's contribution to the workings of the

Board has been invaluable. In addition, Ms Eileen O'Connor joined the secretariat of the Board whose contribution and assistance has also been most valuable.

Another important change that took place during the year was the introduction of new legislation by the Minister for the Marine and Natural Resources, namely, the Fisheries (Amendment) Act, 2001. This became operative from the 27th November, 2001 and requires the Board under a new section, Section 40(8)(a) and (b), to give reasons and considerations on determinations made by it. This act amends provisions of the Fisheries (Amendment) Act, 1997 and also incorporates aspects of the Fisheries Acts, 1959 to 2000.

I will now briefly turn to the Board's activities and output for 2001. This year, as in each of the previous years, has been a busy one, with an increase of approximately 50% in the level of appeals received over numbers received in 2000. Details of the appeals received are outlined on page 8 of the report.

In summary, the total number of appeals received was 76, representing 55 Ministerial licence decisions. However, there was a further 22 appeals awaiting decision from 2000, giving a grand total of 98 appeals for determination. Details of the determinations made in 2001 are outlined on pages 10 to 16.

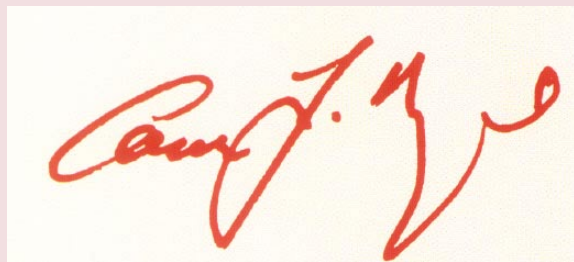
During 2001, three applications were made to the courts against three of the Board determinations made in 1999 and 2001. Two of these applications were successfully defended while a decision in respect of the third is outstanding. Details of these applications are contained in the report.

It is not my intention to comment in any great detail on the outcome to the judicial review applications, suffice to say that the Board is more than pleased with the outcome to date.

To conclude, in relation to other activities during the year, the Board was represented at a number of aquaculture-related events that took place during the course of the year. These were found to be most useful with regard to maintaining an update of developments within the industry, both on a national and international level. A sample were (i) the Aqua Europe Conference, 2001 held in Trondheim, Norway from 4 – 7 August, 2001 and (ii) the Freshwater Resource Symposium, in Ferrycarrig, Co Wexford in August, 2001.

Finally, just a note of thanks and acknowledgement to each of the Board members for the level of their commitment and work input throughout the year. The work of the Board is also greatly dependent on the service of the Secretariat, whom I also wish to thank for their continued support and dependable service throughout the year.

I wish to also thank the Minister for the Marine and Natural Resources, Mr Frank Fahey, T.D., for the support given to the Board during 2001 and as always, look forward to the challenges of the year ahead.



**CONOR J. MAGUIRE, S.C.,
CHAIRMAN
22 March, 2002**

BOARD MEMBERS and GENERAL INFORMATION

CHAIRMAN MR CONOR J. MAGUIRE, S.C.

DEPUTY CHAIRPERSON MS BERNA GRIST, B.A., B.L.*

ORDINARY MEMBERS DR RICHARD D FITZGERALD, BSc., PhD, MBA.

MR MICHAEL HARTE, B.Ed.

MR JIM KILLEEN, BE, MI Chem E,

MRS MARY NOLAN

MR MARTIN HOWLEY

* Ms Berna Grist resigned from the Board on 30 September, 2001, to take up a post with An Bord Pleanála. Dr Ann Quinn, BSc, PhD, MIPI, FCI Arb replaced Ms Grist with effect from 12 November, 2001.

SECRETARY Ms Anne Balfe

REGISTERED OFFICE Holbrook House
3rd Floor
Holles Street
Dublin 2.

AUDITORS Comptroller & Auditor General
Treasury Building
Dublin Castle
Dublin 2

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*Conor J. Maguire, S.C.
Chairman*



*Berna Grist, B.A., B.L.
Deputy Chairperson*



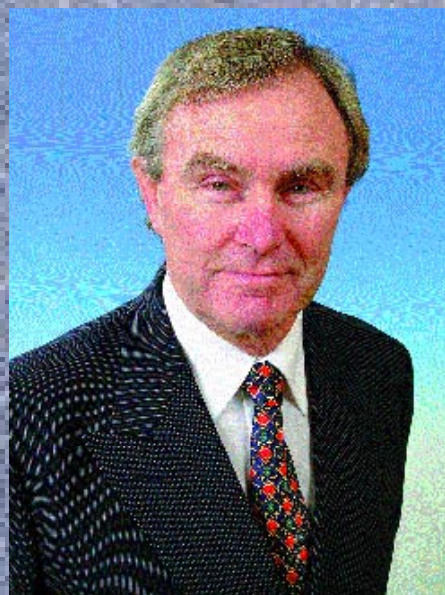
*Dr. Richard FitzGerald
Member*



*Michael Harte
Member*



*Martin Howley
Member*



*Jim Killeen
Member*



*Mary Nolan
Member*

AQUACULTURE LICENCES APPEALS BOARD

The following is some general information regarding the Aquaculture Licences Appeals Board. However, to obtain an overall picture as to how the appeal process as well as the aquaculture licensing system operates, reference should be made to the Fisheries (Amendment) Act, 1997 and also the most recently introduced legislation, the Fisheries (Amendment) Act, 2001.

ESTABLISHMENT OF BOARD

The Aquaculture Licences Appeals Board was established on 17 June, 1998 under *Section 22* of the Fisheries (Amendment) Act, 1997. All Board members are engaged on a part-time basis.

FUNCTION

The function of the Board is to provide an independent authority for the determination of appeals against decisions of the Minister for the Marine and Natural Resources on aquaculture licences. A person aggrieved by a decision of the Minister on an aquaculture licence application, or by the revocation or amendment of an aquaculture licence, may make an appeal within one month of publication (in the case of a decision) or notification (in the case of revocation/amendment).

STATUS

The Board is an independent body with its own funding provided for by the Oireachtas under *Section 36* of the Act.

MEMBERSHIP OF BOARD

Under *Section 23* of the Act, the Board consists of a Chairman and six other members. The Chairman, a senior counsel, was appointed by the Government for a term of 5 years effective from 30 June, 1998. The other six members were appointed by the Minister for the Marine and Natural Resources for a term of three years effective from 30 June, 1998. All six were re-appointed for a period of one year from 30 June, 2001, by Mr Frank Fahey, T.D., Minister for the Marine and Natural Resources.

Ms Berna Grist, Deputy Chairperson resigned from the Board on 30 September, 2001, while Dr Ann Quinn was appointed by Mr Frank Fahey, T.D., Minister for the Marine and Natural Resources effective from 12 November, 2001 to 29 June, 2003.

COMPOSITION OF BOARD

In accordance with *Section 23(3)* of the Act, the Minister for the Marine and Natural Resources made regulations prescribing not less than two organisations representative of each of the following groupings:

- (a) organisations concerned with the promotion of the development of aquaculture or representative of persons carrying on the business of developing aquaculture;
- (b) organisations concerned with the conservation, development and protection of wild fisheries;
- (c) organisations representative of persons whose professions or occupations relate to physical planning and development;
- (d) organisation representative of persons concerned with the protection and preservation of the environment and amenities;

- (e) organisations representative of persons concerned with the promotion of general economic development and
- (f) organisations representative of persons concerned with the promotion of community development.

RESPONSIBILITIES

The main responsibilities and powers of the Board are set out below:

Under *Section 40(4)* of the Act, on receipt of an appeal by the Board and provided it is not withdrawn, the Board can determine the appeal by

- (a) confirming the decision or action of the Minister
- (b) determining the application for the licence as if the application had been made to the Board in the first instance or
- (c) in relation to the revocation or amendment of a licence, substituting its decision on the matter for that of the Minister.

Under *Section 43* of the Act, the Board must send a copy of the notice of appeal to the Minister and to each other party to the appeal;

Under *Section 46* of the Act, the Board can request submissions or observations from parties or other persons who have already made submissions or observations to the Board in relation to an appeal, if, in the opinion of the Board and in the circumstances, it is in the interests of justice to do so;

Under *Section 47* of the Act, the Board can request documents, particulars or other information it considers necessary for the purpose of enabling it to determine an appeal;

Under *Section 49* of the Act, the Board has the absolute discretion to hold an oral hearing of an appeal;

Under *Section 56* of the Act, the Board shall ensure that appeals are dealt with and determined expeditiously and that all steps are taken to avoid unnecessary delays.

CONSULTANTS AND ADVISERS

Under *Section 35* of the Act, the Board may engage consultants or advisers as it considers necessary for the performance of its functions. Fees due to either are paid by the Board out of moneys made available by the Oireachtas. The Board did not engage consultants or advisers during 2001.

SECRETARIAT

Under *Section 32* of the Act, an officer of the Minister who is an established civil servant and who is seconded to the Board for that purpose, either on a whole-time or part-time basis, shall act as Secretary to the Board. There has been no change to date with regard to the Secretary to the Board.

BOARD'S ACTIVITIES IN 2001



APPEALS RECEIVED

In 2001, the Board received a total of 76 appeals, representing an increase of approximately 50% in the level of appeals received over numbers received in 2000.

However, and in addition to the 76 received in 2001, there were a total of 22 appeals awaiting decision from 2000, giving a grand total of 98 appeals for determination. The 76 appeals received represented 55 Ministerial licence decisions from a total of approximately 100 Ministerial decisions made in 2001.

Of the 76 received in 2001, 21 were in relation to Salmon licences, representing 28% of total appeals received. This compares with 24% received in 2000. The balance of appeals received in 2001 related to oysters, mussels and one in relation to abalone.

JUDICIAL REVIEW

In accordance with Section 73 of the Fisheries (Amendment) Act, 1997, a person can apply for judicial review of determinations of the Board by way of an application for judicial review, provided it is made within the period of three months commencing on the date on which the determination was made. During 2001, three applications had been made to the courts against three of the Board determinations in 1999 and 2001. Two of these applications have been ruled on, with the results being in favour of the Board's decisions, while the third is still awaiting decision. Details of these applications are as follows:

- a) The first application was in relation to a Board decision dated 17th July, 1999, in respect of the granting of an aquaculture licence to Woodstown Bay Shellfish, Dunmore East, Co Waterford for the cultivation of oysters on Woodstown Strand, Co Waterford. The case was heard on 1st February, 2001, with the court ruling in favour of the Board;
- b) The second application was in relation to a Board decision dated 10th April, 2001 in respect of the granting of an aquaculture licence to Cuan Baoi Sea Farms Ltd, c/o Eir Nor Teoranta, Ballyhea, Dingle, Co Kerry for the cultivation of salmon in Bantry Bay, Co Cork. Following a hearing on 30th July, 2001, the court ruled in favour of the Board and awarded costs;

- c) The third application was in relation to a Board decision dated 21st January, 2001 in respect of the granting of an aquaculture licence to Bannow Bay Fisheries, Clifton, Spawell Road, Wexford for the cultivation of oysters at Bannow Bay, Co Wexford. This case is waiting a date to be assigned for hearing.

SUMMARY OF DETERMINATIONS

The Board made a total of 38 determinations in 2001, representing 57 of the appeals received. This resulted in the granting of 14 aquaculture licences in total, of which 5 were in respect of salmon. A map representing licences issued is on page 10.

The Board also (i) agreed with one of the licence decisions granted by the Minister of State at the Department of the Marine and Natural Resources (ii) refused or upheld four aquaculture licences appealed and (iii) overturned the decision of the Minister in respect of one case where the licensee was refused a licence and therefore upheld this appeal also.

DETAILS OF APPEALS RECEIVED AND DETERMINATIONS MADE IN 2001

Under Section 40(4) of the Fisheries (Amendment) Act, 1997, the Board, in determining the appeals has the option of:

- (i) confirming the decision of the Minister to grant or refuse a licence or
- (ii) determining and issuing its own aquaculture licence as if the application for the licence had been made to the Board in the first instance.

Where the Board determined that it wished to alter the terms or conditions of a licence decision granted by the Minister, it did so by issuing its own licence with additional or altered terms and conditions.

In line with the above, information outlined on the following pages relate to:

- a) a breakdown of the Board determinations for the year 1999, 2000 and 2001 and
- b) the outcome of determinations of Appeals made by the Board in 2001.

The information in respect of (b) includes:

- 1) subject matter of the Appeal
- 2) details of Appellants and
- 3) the results and date of each of appeal decision.

**AQUACULTURE LICENCES APPEALS BOARD
[A.L.A.B.]**

BREAKDOWN OF BOARD DETERMINATIONS

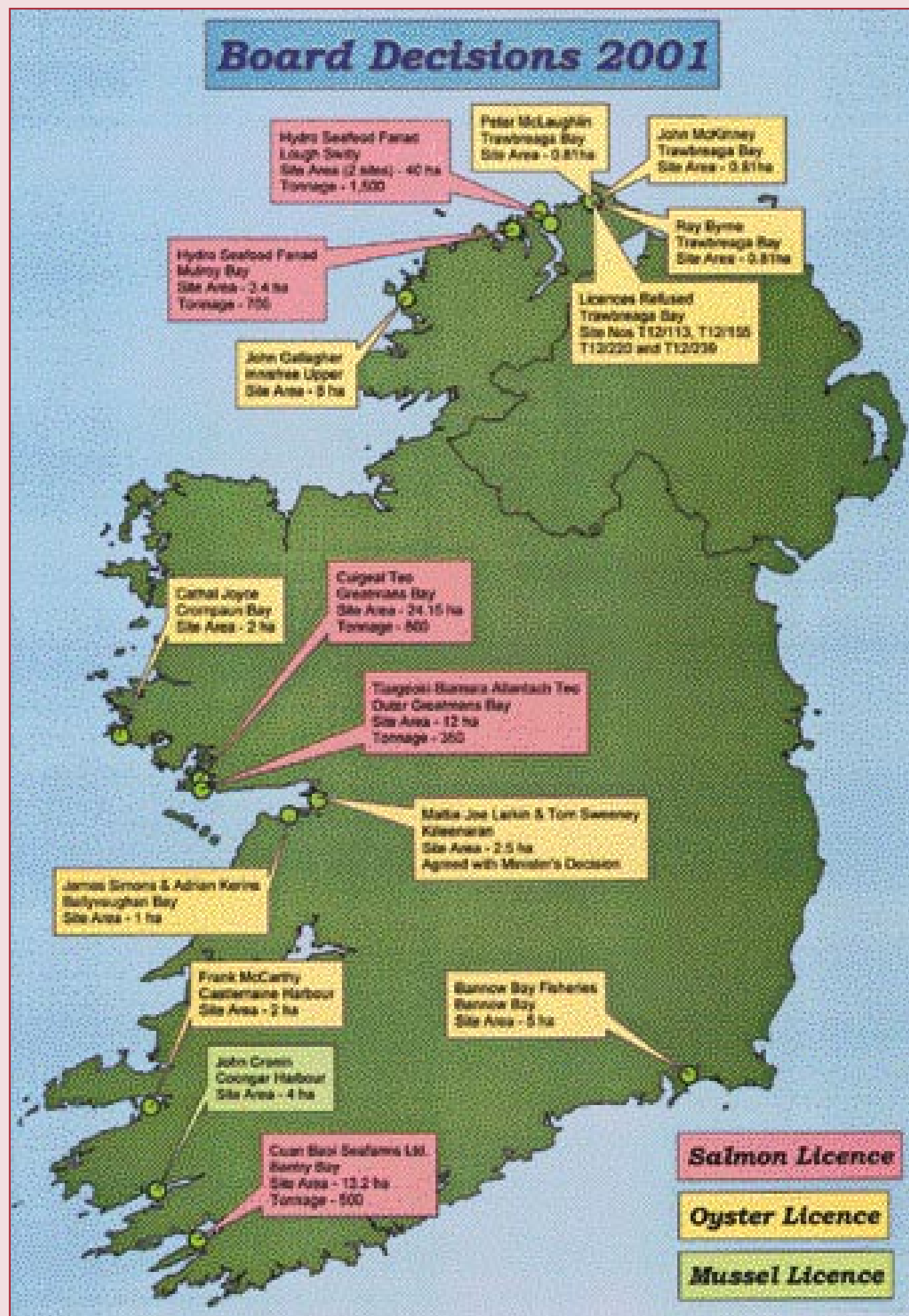
1999 – 2001

Year	Appeals Received	Withdrawn	Deemed Invalid	Board Determinations	Licences Granted	Confirmed Minister's Decision	Appeals Upheld
1999	88	0	2	25	16	7	0
2000	38	0	2	83	37	5	2
2001	76*	26	1	38+	14	1	5

* Of these, 26 were withdrawn by one of the appellants

+ 12 related to appeals received in 2000

DETERMINATIONS OF APPEALS IN 2001



SUBJECT MATTER OF APPEAL	APPELLANTS	BOARD DECISION & DATE
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Mussels on one site in Coongar Harbour, Kenmare Bay, Co Kerry to JOHN CRONIN , Loughadeveen, Bantry, Co Cork	<ul style="list-style-type: none"> » SNEEM FISHERMAN'S CO-OPERATIVE SOCIETY, Tahilla, Sneem, Co Kerry » MARY O'SHEA, JIM AND SUE FEENEY, ERIKA KINSELLA, and family, Tahilla, Killarney, Co Kerry » CLAUD-WILHELM RIEPE, Derryquin, Sneem, Co Kerry » G. PAYN and J. CARY, Tahilla, Killarney, Co Kerry » TIM AND WENDY SHOOSMITH, THOMAS AND MIEKE STAUS, Tahilla, Killarney, Co Kerry » CHRIS FECHLER, Tahilla, Sneem, Co Kerry » ESTHER SIEMES, Old Tahilla, Sneem, Co Kerry » JAMES WATERHOUSE, Tahilla, Sneem, Co Kerry » HANS A. BAENSCH, Mergus Verlag GmbH, Im Wiele 27, 4520 Melle 5, Postfach 86, 4520 Melle 1, Germany » WINIFRED AND ASTRID SIEMES, Tahilla, Killarney, Co Kerry 	LICENCE ISSUED by BOARD 21/1/01 **
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site off Innishfree Upper, Co Donegal to JOHN GALLAGHER , Lackenagh, Burtonport, Co Donegal	<ul style="list-style-type: none"> » INNISHFREE CO-OPERATIVE, Innishfree Upper, Burtonport, Co Donegal 	LICENCE ISSUED by BOARD 21/1/01**
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site in Bannow Bay, Co Wexford to Mrs Ailish Lee t/a BANNOB BAY FISHERIES , Clifton, Spawell Road, Wexford	<ul style="list-style-type: none"> » MS KARIN DUBSKY, Whitewalls, Ballymoney, Gorey, Co Wexford 	LICENCE ISSUED by BOARD 21/1/01**
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Killeenaran, Co Galway to MATTIE JOE LARKIN & TOM SWEENEY , Aran, Kilcolgan, Co Galway	<ul style="list-style-type: none"> » MICHAEL KELLY (SHELLFISH), LIMITED AND MICHAEL KELLY, Aisling, Tyrone, Kilcolgan, Co Galway 	AGREE WITH MINISTER'S DECISION 19/2/01~
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Salmon on two sites at Gerahies, Bantry Bay, Co Cork to CUAN BAOI SEAFARMS LTD , c/o Eir Nor Teoranta, Ballyhea, Dingle, Co Kerry	<ul style="list-style-type: none"> » FISHERMAN'S INSHORE SALTWATER HERITAGE LIMITED, Goleen, West Cork 	LICENCE ISSUED by BOARD 10/4/01**

DETERMINATIONS OF APPEALS IN 2001

SUBJECT MATTER OF APPEAL	APPELLANTS	BOARD DECISION & DATE
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Salmon on two sites in Lough Swilly, Co Donegal to HYDRO SEAFOOD FANAD , Kindrum, Cashel PO, Letterkenny, Co Donegal	<ul style="list-style-type: none"> » PROFESSOR GRAHAM G SHAW, Save Our Sea Trout, PO Box 69, Galway » BUNCRANA ANGLERS ASSOCIATION, Angling Centre, Castle Lane, Bunrana, Co Donegal » MR BERNARD J EASTWOOD, "Carrablagh", Portsalon, Co Donegal 	LICENCE ISSUED by BOARD 10/4/01**
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Salmon on one site at Glinsk in Mulroy Bay, Co Donegal to HYDRO SEAFOOD FANAD , Kindrum, Cashel PO, Letterkenny, Co Donegal	<ul style="list-style-type: none"> » NORTH WEST SHELLFISH, Upper Carrick, Carrigart, Letterkenny, Co Donegal » JERRY GALLAGHER, Upper Carrick, Carrigart, Letterkenny, Co Donegal 	LICENCE ISSUED by BOARD 10/4/01**
Decision of Minister of State at the Department of the Marine and Natural Resources to Refuse to grant an aquaculture licence for the cultivation of Oysters in bags and on trestles on one site at Derreen, Ballyvaughan Bay, Co Clare to JAMES SIMONS , Belharbour, Co Clare and ADRIAN KERINS , Finnvarra, Burrin, Co Clare	<ul style="list-style-type: none"> » JAMES SIMONS, Bellharbour, Co Clare 	LICENCE ISSUED by BOARD 16/7/01**
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters in bags and on trestles on two sites in Crompaun Bay within Ballyconneely Bay, Connemara, Co Galway to CATHAL JOYCE , Ballyconneely Bay, Co Galway	<ul style="list-style-type: none"> » DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 	LICENCE ISSUED by BOARD 21/9/01**
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters in bags and on trestles on two sites in Castlemaine Harbour, Co Kerry to FRANK McCARTHY , Lonart, Cromane Lower, Killorglin, Co Kerry	<ul style="list-style-type: none"> » DENIS COSTELLO, JOAN COSTELLO, JEREMIAH COSTELLO AND DENIS COSTELLO, Jnr., Co Kerry 	LICENCE ISSUED by BOARD 12/11/01**
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Salmon on two sites at Greatman's Bay, Co Galway to CUIGEAL TEO , Rinn, Carraroe, Co Galway	<ul style="list-style-type: none"> » WESTERN REGIONAL FISHERIES BOARD, Weir Lodge, Earl's Island, Co Galway 	LICENCE ISSUED by BOARD 12/11/01**
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Salmon on one site at Outer Greatman's Bay, Co Galway to TAIRGEOIRI BIAMARA ATLANTACH TEO , Rinn, Carraroe, Co Galway	<ul style="list-style-type: none"> » WESTERN REGIONAL FISHERIES BOARD, Weir Lodge, Earl's Island, Co Galway » CUMANN IASCAIREACHT BOLUISCE, Aille, Inverin, Co Galway 	LICENCE ISSUED by BOARD 12/11/01**

DETERMINATIONS OF APPEALS IN 2001

SUBJECT MATTER OF APPEAL	APPELLANTS	BOARD DECISION & DATE
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to JOHN McGONAGLE , Isle of Doagh, Carndonagh, Co Donegal	<ul style="list-style-type: none"> » Cmdr & Mrs John Holt, Goorey Lodge, Malin, Co Donegal 	REFUSED LICENCE 12/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to MALIN HEAD SHELLFISH LTD , Tulnaree, Carndonagh, Co Donegal	<ul style="list-style-type: none"> » Cmdr & Mrs John Holt, Goorey Lodge, Malin, Co Donegal » DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ## 	REFUSED LICENCE 12/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to JOHN McKINNEY , 178 Ardfoyle, Moville, Donegal	<ul style="list-style-type: none"> » John D Doherty, Cleagh, Clonmany, Co Donegal » DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ## 	LICENCE ISSUED by BOARD 17/12/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to WILLIE McGEOGHEGAN Isle of Doagh, Clonmany, Co Donegal	<ul style="list-style-type: none"> » Cmdr & Mrs John Holt, Goorey Lodge, Malin, Co Donegal » DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ## 	REFUSED LICENCE 12/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to RAY BYRNE , Carrick, Malin, Co Donegal	<ul style="list-style-type: none"> » Cmdr & Mrs John Holt, Goorey Lodge, Malin, Co Donegal » DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ## 	LICENCE ISSUED by BOARD 17/12/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to PETER McLOUGHLIN , Gorteram, Clonmany, Co Donegal	<ul style="list-style-type: none"> » Cmdr & Mrs John Holt, Goorey Lodge, Malin, Co Donegal » DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ## 	REFUSED LICENCE 12/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to PHILIP MARTIN DOHERTY , Slievebawn, Malin Head, Co Donegal	<ul style="list-style-type: none"> » Inishowen Environmental Group » DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ## 	LICENCE ISSUED by BOARD 17/12/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to SHEILA GILL , Clonmany, Lifford, Co Donegal	<ul style="list-style-type: none"> » DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ## 	APPEAL WITHDRAWN 6/11/01

DETERMINATIONS OF APPEALS IN 2001

SUBJECT MATTER OF APPEAL	APPELLANTS	BOARD DECISION & DATE
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to JARLATH MONAGHAN , Tullnaree, Carndonagh, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to EAMON DOHERTY , Milltown, Carndonagh, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to GERRY DIVER , Shore Road, Ballyliffin, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to MARGARET LYNN , Lagg Road, Malin, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to PAUL O'BROIN , 125 Alymer Park, Monread Road, Naas, Co Kildare	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to PATRICK DIVER , Lower Boxtown, Clonmany, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to NUALA DEVLIN , Cross, Clonmany, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to MARIO COMISKEY , Urrismana, Clonmany, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01

DETERMINATIONS OF APPEALS IN 2001

SUBJECT MATTER OF APPEAL	APPELLANTS	BOARD DECISION & DATE
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to TONY KEARNEY , Leenan Keil, Clonmany, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to MICHAEL O'DOHERTY , Dunaff Head, Clonmany, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to MARGARET COMISKEY , Clonmany, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to EUGENE McLAUGHLIN , Isle of Doagh, Carndonagh P.O., Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to CHARLES McLAUGHLIN , Rashenny, Carndonagh, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to ALAN & CORA BYRNE , Drumcarbit, Malin, Inishowen, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to JAMES WALSH , Ardnascanlon, Carndonagh, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to MICHAEL McLAUGHLIN , Keenaglug, Carndonagh, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01

DETERMINATIONS OF APPEALS IN 2001

SUBJECT MATTER OF APPEAL	APPELLANTS	BOARD DECISION & DATE
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to ANNA KEARNEY , Leenan Keil, Carndonagh, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01
Decision of Minister of State at the Department of the Marine and Natural Resources to grant an aquaculture licence for the cultivation of Oysters on one site at Trawbreaga Bay, Co Donegal to WILLIAM A COFFEY , Sheskin Bree, Malin Head, Co Donegal	» DÚCHAS, The Heritage Service, Department of Arts, Heritage, Gaeltacht, and the Islands, 7 Ely Place, Dublin 2 ##	APPEAL WITHDRAWN 6/11/01

NOTES

~ Represents Appeals received in 1999

** Represents Appeals received in 2000

Appeals by Duchas were subsequently withdrawn in respect of proposed licences at Trawbreaga Bay, Co Donegal

AQUACULTURE LICENCES APPEALS BOARD

[A.L.A.B.]

FINANCIAL STATEMENTS

To be published separately

