

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)	PJ Donnelly. Bryan Hyland.
Address of Appellant	Muchreange, Greenore, Co.Louth. <u>Carrowholly, Westport, Mayo. F28 PY00</u>

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	<input checked="" type="checkbox"/>
Appeal by any other individual or organisation	€152.37	<input type="checkbox"/>
Request for an Oral Hearing * (fee payable in addition to appeal fee)	€76.18	<input type="checkbox"/>

* In the event that the Board decides not to hold an Oral Hearing the fee will not be refunded.

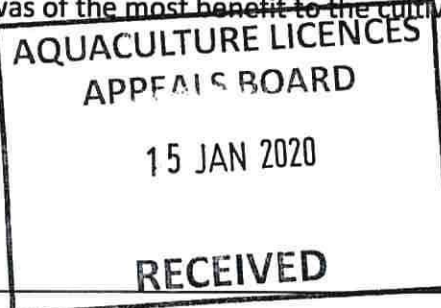
(Cheques Payable to the Aquaculture Licences Appeals Board in accordance with the Aquaculture Licensing Appeals (Fees) Regulations, 1998 (S.I. No. 449 of 1998))


Electronic Funds Transfer Details	IBAN: IE89AIBK93104704051067	BIC: AIBKIE2D
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Subject Matter of the Appeal

T01/050A1 Reducing the footprint of the site.

I want to appeal this because we weren't given a sufficient explanation as to why the site was being reduced and had this been done in consultation with us we would have suggested a different approach. According to the new draft licence we have lost the part of the site that was of the most benefit to the cultivation of mussels.



Site Reference Number:- (as allocated by the Department of Agriculture, Food and the Marine)	T01/050A1
Appellant's particular interest in the outcome of the appeal:	
<p>The best part of the site has been removed the less productive part of the site has been re-licensed.</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 feel that there wasn't sufficient consultation with us regarding what was going to be done with the site. Whoever decided on the new drawing doesn't understand how our methods work and had we been consulted we could have made it clear as to why the area that is reduced is actually the most productive part. Mussels like allot of tidal stream and not ferry wash. The area in the deeper part has worked very well in the past and unfortunately there has been an issue with seed sourcing in recent years which I feel we have rectified. If we can be given the full licence again I feel we can prove that this site is going to be very productive.</p> <p>I hope this doesn't fall on deaf ears and that before any future decisions are made that appropriate consultation is done with the site farmers.</p>	
Signed by appellant: <u>PJ Dorelly</u>  Date: <u>14-1-20</u>	
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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 as long as there is a business need to do so and may include publication on the ALAB website

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.