

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Johnny Neville & Jeanette Brugman



06 March 2023

Our Ref: AP5/2023

Site Ref: T03/095A

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Johnny Neville & Jeanette Brugman to cultivate pacific oysters using bags and trestles on the intertidal foreshore on site T09/095A at Ballyteigue Burrow in Ballyteigue Bay, Co Wexford

Dear Mr J Neville & Ms J Brugman

Please see attached Notice(s) of appeal received by the Aquaculture Licences Appeals Board (ALAB) in relation to the above, forwarded in accordance with Section 43(1) of the Fisheries Amendment Act 1997 ("the Act"). The appeal documents may also be viewed on the ALAB website at the following link:

<https://www.alab.ie/appeals-open/wexford/>

In accordance with the provisions of Section 44(2) of the Act, you may make submissions or observations in writing to the Board in relation to this appeal within a period of **30 days**, beginning on the date on which a copy of the Notice of Appeal is sent to that party by the Board. Any submissions or observations received by the Board after the expiration of that period shall not be taken into consideration.

In accordance with Section 49 of the Act, you may also request an oral hearing of this appeal. Such request must be submitted within the timeframe noted above and must be accompanied by a non-refundable fee of €75 (seventy-five Euro).

The fee for an Oral Hearing request may be paid by way of Cheque or Electronic Funds Transfer. Cheques are payable to the Aquaculture Licences Appeals Board in accordance with the Aquaculture Licensing Appeals (Fees) Regulations, 2021 (S.I. No. 771 of 2021)

Electronic Funds Transfer
Details

IBAN: IE89AIBK93104704051067

BIC: AIBKIE2D

In this instance your submission of observations and/or your request for an Oral Hearing, if any, should reach the Board at the above address not later than **05 April 2023**.

As part of the decision-making process, the Board may also authorise an inspection of the site under appeal.

Yours sincerely

Margaret Carton
Secretary to the Board

An Bord Achomharc Um Cheadúnais Dobharshaothraithe Aquaculture Licences Appeals Board



Mr. Charlie McConalogue
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

06 March 2023

Our Ref: AP5/2023
Site Ref: T03/095A

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Johnny Neville & Jeanette Brugman to cultivate pacific oysters using bags and trestles on the intertidal foreshore on site T09/095A at Ballyteigue Burrow in Ballyteigue Bay, Co Wexford

Dear Minister

Please find attached copy of the Notice of Appeal received for determination in accordance with Section 43(1) of the Fisheries Amendment Act 1997, ("the Act"). The Notice of Appeal documents may be viewed on the ALAB website at the following link:

<https://www.alab.ie/appeals-open/wexford/>

Please submit to the Board **within 14 days of receipt of this letter** (as required by Section 43(2) of the Act):

- (a) A copy of the aquaculture licence concerned and of any drawings, maps, particulars, evidence, environmental impact statement, other written study or further information received or obtained from the applicant for the licence in accordance with a requirement of or under regulations under the Act.
- (b) A copy of any report prepared for you in relation to the application, revocation, or amendment and
- (c) A copy of any document recording your decision in respect of the application, revocation, or amendment and of the notification of the decision given to the applicant.

Please include, as part of the above, a location map of the surrounding area to include:

- (i) Sites under application

Cúirt Choill Mhinsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5
Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5

- (ii) Sites lapsed
- (iii) Licensed sites
- (iv) Sites currently under appeal (if any).

Section 44(2) of the Act entitles you 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.

In accordance with the foregoing, I would be grateful if you would:

- (i) Acknowledge receipt of the Board's letter and forward the necessary documentation and
- (ii) Make, if necessary, any submission(s) or observations in accordance with Section 44(2) of the Act in writing to be received by the Board on or before **05 April 2023**.

Yours sincerely,



Margaret Carton
Secretary to the Board

cc: Mr Ultan Waldron, Aquaculture and Foreshore Management Division