

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



Anthony McCafferty



10 August 2023

Our Ref: AP7/2020  
Site Ref: T12/441B

**Re: Appeal by Save Ballyness Bay S.A.C. Action Group against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture Licence to Anthony McCafferty for authorisation to cultivate Pacific Oysters using bags and trestles at site T12/441B on the foreshore in Ballyness Bay, County Donegal**

Dear Mr McCafferty,

I refer to my letter of 20 December 2022 in which the Board indicated it anticipated this Appeal would be determined by 30 September 2023.

The Aquaculture Licences Appeals Board again reviewed this timescale for the determination of this Appeal at its meeting on 28 July 2023 and has formed the view it will not be in a position to determine this Appeal within that timeframe.

Further correspondence is contained in the attached "Notice that Further Information is Required Pursuant to Regulation 42(3) of the Habitats Regulations" of 04 August 2023 which provides an update on issues impacting on the process of arriving at a Determination.

In light of this, the Board hereby gives notice, as provided for in Section 56(3) of the Act of its intention to determine the Appeal by 30 April 2024.

Yours sincerely

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Margaret Carton  
Secretary to the Board

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Dear Mr McCafferty,

We refer to the above Appeal received by the Aquaculture Licence Appeals Board (“the Board”) and wish to advise you that the following correspondence is now available on the ALAB website:

- 1) A **‘Notice that Further Information pursuant to Regulation 42(3) of the Habitats Regulations’**(NIS) issued to Applicants for the above Licence on 4 August 2023.

<https://alab.ie/activeappeals/appealsyearsreceived/appealsreceivedin2020/ap72020/#d.en.186901>

- 2) A **Section 46 notice** issued to the National Parks and Wildlife Service (NPWS) on 1 August 2023. A copy of this notice is available on the ALAB website under Information Requests at:

<https://alab.ie/activeappeals/appealsyearsreceived/appealsreceivedin2020/ap72020/#d.en.186901>

- 3) A letter issued to the Marine Institute on 1 August 2023 is available on the ALAB website under Information Requests at:

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Please note that hard copies of the above documents are available on request by contacting the undersigned by letter, email, or phone - The Secretary, Aquaculture Licences Appeals Board, Kilminchy Court, Dublin Road, Portlaoise, Co Laois. R32 DTW5, Email: [info@alab.ie](mailto:info@alab.ie). Phone: 057 8631912.

Yours sincerely,



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Save Ballyness Bay S.A.C. Action Group  
c/o Mr John Connaghan



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Aquaculture Licences Appeals Board**



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

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