

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



Ms. Aoife Buckley,  
Sliogeisc Siar Teoranta,  
36 Mullan Mor,  
Tuam Rd.,  
Co. Galway

16 November 2021

Our Ref: AP23/2020  
Site Ref: T08/115A

**Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to refuse an Aquaculture for the cultivation Native and Pacific Oysters using Bags and trestles to Sliogeisc Siar Teoranta using bags and trestles, float and bag, moulded baskets and longlines on the inter-tidal and sub-tidal foreshore on site ref T08/115A in Aughinish Peninsula, Co. Clare.**

Dear Ms. Buckley,

I refer to the above Appeal.

I enclose a hand-edited map and a copy of a deed submitted by a member of the public to DAFM purporting to show the existence of a native oyster bed owned by them which partially overlaps with your proposed site.

Section 46(1) of the Fisheries (Amendment) Act, 1997 (the Act ) provides that the Board may, if it is of the opinion that, in the particular circumstances of an appeal, it is appropriate in the interests of justice to request a party who has made submissions or observations to the Board in relation to the appeal to make submissions or observations in relation to any matter which has arisen in relation to the appeal, it may serve on the party a notice requesting the party to submit submissions or observations in relation to the matter to the Board.

In accordance with the provisions of section 46(1)(a) of the Act, the ALAB Board HEREBY REQUIRE you to make any submissions or observations you have in relation to matters referred to in the Report to it, in particular any submissions or observations in relation to the current legal standing of the deed. Such submissions or observations should be provided to the Board within 30 days of the date of this letter.

Please note that if the submission or observation is not received before the expiration of the period specified above, or such later period as may be agreed by the Board, the Board may, without further reference to you, determine the appeal.

If you wish to discuss this request you can contact the Technical Advisor to the Board, Dr Ciar O'Toole on 087-4097160 or [ciar.otoole@alab.ie](mailto:ciar.otoole@alab.ie).

Yours sincerely



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Antoinette Conroy  
Secretary to the Board

## Murphy, CiaraM

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**From:** aoife buckley <aoifebuckley@hotmail.com>  
**Sent:** Thursday 18 November 2021 11:25  
**To:** Alab, Info  
**Subject:** Re: Ref : AP23/2020                      Our Ref: T08/115A  
  
**Categories:**                      Filed online, Brona

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Good morning Ciar

Thank you , I received a copy of the deeds yesterday. I have had a look at the information last night - it is not very clear on the deed his claim to ownership . It suggests that the deed is for the South of the channel or the possibility of bordering marginal with our application,. Is there any further evidence to support his claim other than drawing over our application with a marker. There is no land marks on the North side of the deeds for us to calculate where the actual boundaries are located

Where can I find the deeds registered on line? Can I get a copy of the full deeds showing the Northside of the channel as it appears these have been omitted.

Many thanks

Kindest regards

Aoife

---

**From:** Alab, Info  
**Sent:** Monday, September 20, 2021 11:27 AM  
**To:** 'aoife buckley'  
**Subject:** RE: Ref : AP23/2020 Our Ref: T08/115A

Dear Aoife

I wish to acknowledge receipt of your email.

Regards

Mary

**Mary O'Hara**

*Secretary*

---

**An Bord Achomharc Um Cheadúnais Dobharshaothraith**

*Aquaculture Licences Appeals Board*

**Cúirt Choill Mhinsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5**

*Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5*

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T +353 (0) 057 8631912

R-phost/Email: [info@alab.ie](mailto:info@alab.ie)

Láithreán Gréasáin/Website: [www.alab.ie](http://www.alab.ie)

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**From:** aoife buckley  
**Sent:** Monday 20 September 2021 12:25  
**To:** Alab, Info  
**Subject:** Fw: Ref : AP23/2020 Our Ref: T08/115A

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**From:** aoife buckley <[aoifebuckley@hotmail.com](mailto:aoifebuckley@hotmail.com)>  
**Sent:** Monday, September 20, 2021 11:18 AM  
**To:** [ciar.otoole@alab.ie](mailto:ciar.otoole@alab.ie) <[ciar.otoole@alab.ie](mailto:ciar.otoole@alab.ie)>  
**Subject:** Ref : AP23/2020 Our Ref: T08/115A

Good morning Ciar

Please find attached the approved access site by MED. I visited the site on 10th September 2021 with a Jeep & trailer to ensure that the site was easily accessed without moving any boulders .( Please find attached photos of the access route) As you can see from the pictures below there is a route covered by seaweed to the site without moving any of the boulders. It is our intention to work the site without disturbing the eco system of the site ie. boulders etc. Pathways have been cleared previously over the years.

There is also an option to use access by boat at New Quay if required

If you require any further information please do not hesitate to contact me .

Kindest regards

Aoife Buckley

Sliogeisc Siar Teoranta

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## Murphy, CiaraM

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**From:** OToole, Ciar (ALab)  
**Sent:** Friday 26 November 2021 15:50  
**To:** 'aoifebuckley@hotmail.com'  
**Cc:** Antoinette Conroy (Alab); Alab, Info  
**Subject:** FW: Ref : AP23/2020 Our Ref: T08/115A

Hi Aoife,

Thank you for your submission. Can I request you send the drawing again please, possibly as a pdf attachment or in a higher resolution?

The image as sent isn't very clear I'm afraid and doesn't allow us to read the text or interpret the drawing.

Best wishes,

Ciar

### Dr Ciar O'Toole

Technical Advisor  
Aquaculture Licences Appeals Board  
Kilminchy Court  
Portlaoise  
Co. Laois  
R32 DTW5

[ciar.otoole@alab.ie](mailto:ciar.otoole@alab.ie)  
087-4097160  
[www.alab.ie](http://www.alab.ie)

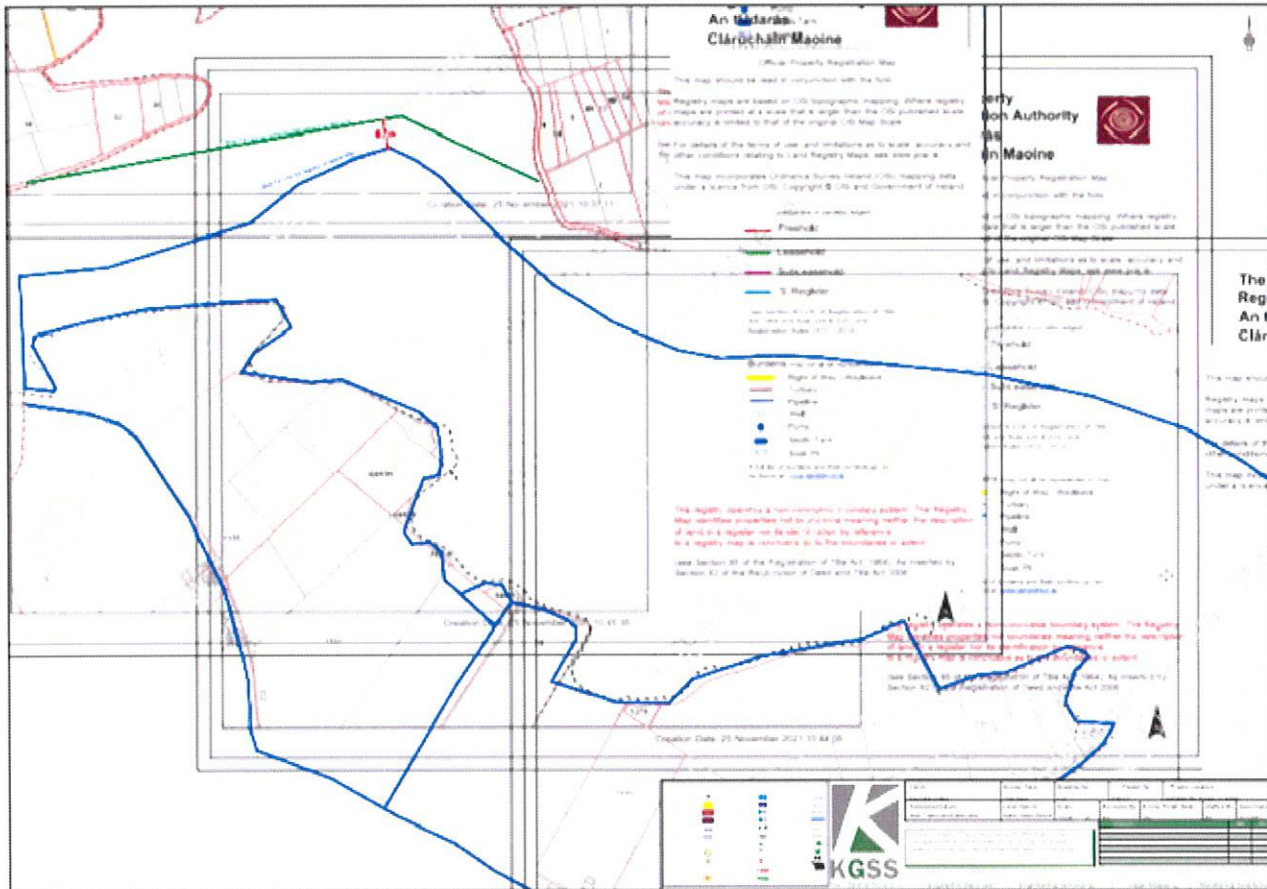
**From:** Alab, Info <[Info@alab.ie](mailto:Info@alab.ie)>  
**Sent:** 25 November 2021 17:01  
**To:** Antoinette Conroy (Alab) <[Antoinette.Conroy@alab.ie](mailto:Antoinette.Conroy@alab.ie)>; OToole, Ciar (ALab) <[Ciar.OToole@alab.ie](mailto:Ciar.OToole@alab.ie)>  
**Cc:** Leonard, Brona (Alab) <[Brona.Leonard@alab.ie](mailto:Brona.Leonard@alab.ie)>  
**Subject:** FW: Ref : AP23/2020 Our Ref: T08/115A

This came in to info this afternoon.

Ciara

**From:** aoife buckley <[aoifebuckley@hotmail.com](mailto:aoifebuckley@hotmail.com)>  
**Sent:** 25 November 2021 14:56  
**To:** Alab, Info <[Info@alab.ie](mailto:Info@alab.ie)>  
**Subject:** Re: Ref : AP23/2020 Our Ref: T08/115A

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Good afternoon

Please find attached findings from Kilkelly Geo Spatial Solutions . From their findings there is a gap of 67 metres between the 2 areas ( sliogeisc Siar & the deeds received) at the closest point .

If you have any further queries please do not hesitate to contact me

Kindest regards

Aoife  
Sent from my iPhone

On 18 Nov 2021, at 11:24, aoife buckley <[aoifebuckley@hotmail.com](mailto:aoifebuckley@hotmail.com)> wrote:

Good morning Ciar

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*Secretary*

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*Aquaculture Licences Appeals Board*

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*Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5*

—  
T +353 (0) 057 8631912  
R-phost/Email: [info@alab.ie](mailto:info@alab.ie)  
Láithreán Gréasáin/Website: [www.alab.ie](http://www.alab.ie)

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**Sent:** Monday, September 20, 2021 11:18 AM

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If you require any further information please do not hesitate to contact me .

Kindest regards

Aoife Buckley  
Sliogeisc Siar Teoranta

---

Sent from my iPhone



Virus-free. [www.avast.com](http://www.avast.com)



## Murphy, CiaraM

---

**From:** OToole, Ciar (ALab)  
**Sent:** Monday 13 December 2021 09:08  
**To:** 'aoife Buckley'  
**Subject:** RE: KG21231 Rev A.pdf

Hi Aoife,

Thanks for that, that's much clearer.

Best wishes,

Ciar

-----Original Message-----

From: aoife Buckley <sliogeiscsiar@gmail.com>  
Sent: 13 December 2021 00:41  
To: OToole, Ciar (ALab) <Ciar.OTOole@alab.ie>  
Subject: KG21231 Rev A.pdf

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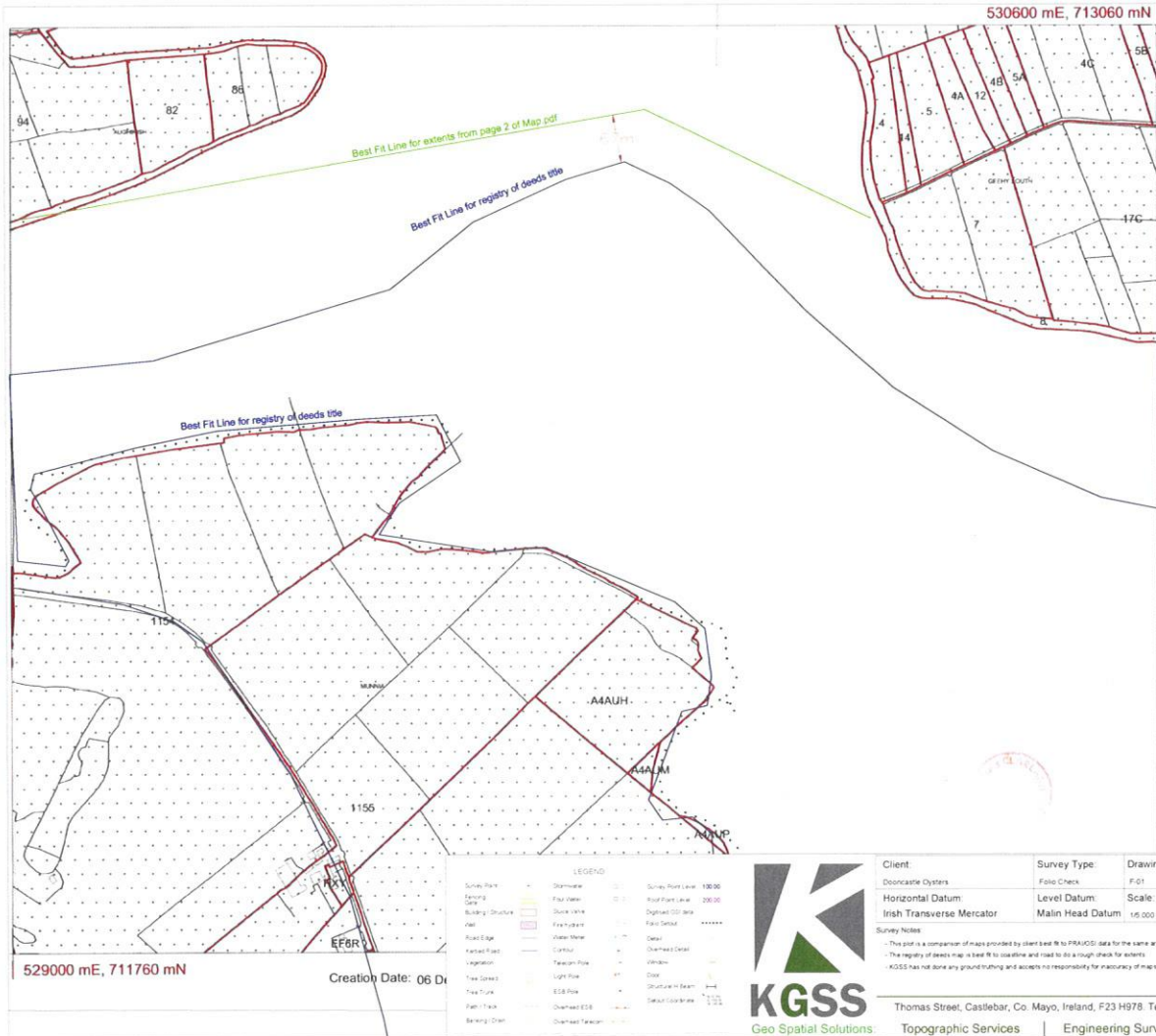
Good morning

Hope this clarifies, let me know if you need any further information

Kindest regards

Aoife





**The Property Registration Authority**  
**An tÚdarás Clárúcháin Maoine**

Official Property Registration Map  
 This map should be read in conjunction with the folio.

Registry maps are based on OSI topographic mapping. Where registry maps are printed at a scale that is larger than the OSI published scale, accuracy is limited to that of the original OSI map scale.

For details of the terms of use and limitations as to scale, accuracy and other conditions relating to Land Registry maps, see [www.pra.ie](http://www.pra.ie).

This map incorporates Ordnance Survey Ireland (OSi) mapping data under a licence from OSi. Copyright © OSi and Government of Ireland.

- (centre-line of parcel(s) edged)
- Freehold
- Leasehold
- SubLeasehold
- 'S' Register

(see Section 8(b)(ii) of Registration of Title Act 1964 and Rule 224 & 225 Land Registration Rules 1972 - 2010).

- Burdens** (may not all be represented on map)
- Right of Way / Wayleave
  - Turbary
  - Pipeline
  - Well
  - Pump
  - Septic Tank
  - Soak Pit
- A full list of burdens and their symbology can be found at [www.landdirect.ie](http://www.landdirect.ie)

**The registry operates a non-conclusive boundary system. The Registry Map identifies properties not boundaries meaning neither the description of land in a register nor its identification by reference to a**

LEGEND	
Solid Stone	Stonewall
Earthwork	Foot Wall
Gate	Stone Wall
Building Structure	Foundation
Well	Open Well
Road Edge	Control
Gravel Road	Tarmac Road
Tree Series	Light Pole
Tree Trunk	ESB Pole
Path Track	Overhead ESB
Burden Drain	Overhead Tension
Stonewall	Roof Eave Level
Foot Wall	Roof Eave Level
Foundation	Foot Detail
Open Well	Well
Control	Overhead Detail
Tarmac Road	Door
Light Pole	Structure in Beam
ESB Pole	Detail in Structure
Overhead ESB	
Overhead Tension	



<b>Client:</b> Doonacree Oysters	<b>Survey Type:</b> Folio Check	<b>Drawing No.:</b> F-01	<b>Project No.:</b> K021231	<b>Project Location:</b> Aughanish Bay, Kinvara, Co. Galway
<b>Horizontal Datum:</b> Irish Transverse Mercator	<b>Level Datum:</b> Malin Head Datum	<b>Scale:</b> 1:5,000 A3	<b>Surveyed By:</b> N/A	<b>Survey Finish Date:</b> N/A
<b>Survey Notes</b>				
- This plot is a comparison of maps provided by client best fit to PRAUGSI data for the same area				
- The registry of deeds map is best fit to coastline and road to do a rough check for extents				
- KGSS has not done any ground truthing and accepts no responsibility for accuracy of maps				
<b>Issue Date:</b> 25/11/2021				
<b>Revision:</b>				
Special Registration Map A3 1:5000 from PRA in background 10/12/21 A				
Thomas Street, Castlebar, Co. Mayo, Ireland, F23 H978 Tel: +353 (0) 94 901 0103 Email: <a href="mailto:info@kgss.ie">info@kgss.ie</a> Web: <a href="http://www.kgss.ie">www.kgss.ie</a>				
Topographic Services		Engineering Surveying		Legal Mapping
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