

Mr Martin Heydon TD  
Minister for Agriculture, Food and the Marine  
Agriculture House  
Kildare Street  
Dublin 2

04 November 2025

Appeal Refs: AP4/1-2/2023

Site Ref: T03/038A

**Re: An Taisce – The National Trust for Ireland V The Aquaculture Licences Appeals Board, the Minister for Agriculture, Food and the Marine, and Ors. and Ballyteigue Oysters Ltd (Notice Party). High Court Record Number: 2024 1610 JR (the “Proceedings”)**

Dear Minister,

I refer to the determination of the Aquaculture Licences Appeals Board (the “Board”) made on 26 September 2024 bearing the above-referred appeal reference number (the “Determination”), which confirmed the Minister for Agriculture, Food and the Marine’s (the “Minister”) decision to grant a licence to cultivate pacific oysters using bags and trestles on the intertidal foreshore on site T03/038A a 1.698 hectare site in the coastal lagoon of Ballyteigue Burrow in Ballyteigue Bay, Co Wexford.

The above Proceedings subsequently issued, which sought to challenge the Determination of the Board. I confirm that they were conceded by the Board on the basis that the reasons for the Appropriate Assessment determination that the project would not adversely affect the integrity of Ballyteigue Burrow SPA were inadequate.

The High Court made orders on consent on 15 September 2025 quashing the Determination, as well as any associated aquaculture and foreshore licences that were issued by the Minister and remitting the appeal to be determined by the Board in accordance with law. A copy of this order is available on the Board’s website at the following link:

<https://www.alab.ie/activeappeals/appealsyearsreceived/appealsreceivedin2023/ap41-22023/>

Having regard to the foregoing, the appeal AP4/1-2/2023, has now been reactivated under the following appeal reference numbers:

| Previous Appeal<br>Reference Number | New Appeal<br>Reference Number |
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| AP4/1/2023                          | AP13/1/2025                    |
| AP4/2/2023                          | AP13/2/2025                    |

The appeal comprises of two appeals, which the Board has consolidated pursuant to Section 42 of the Fisheries (Amendment) Act, 1997 (the “Act”), I refer to the Board’s correspondence of 11 April 2023 in this respect. The Board has decided to continue to treat both Appeals as a single appeal pursuant to section 42 i.e. AP13/1-2/2025

Section 56(2)(a) of the Act requires that the Board endeavour to determine an appeal within a period of four months beginning on the date of receipt by the Board of the Notice of Appeal. At its meeting on 06 October 2025, the Board considered the timeframe required to determine the appeal and agreed a determination date of 5 October 2026 due to the requirement for a gap analysis and relevant scoping reports to be prepared by the ALAB Technical Advisor.

Accordingly, the Board hereby gives notice, pursuant to Section 56(3) of the Act of its intention to determine the appeal by 05 October 2026.

Yours sincerely



Karl Brogan  
Secretary to the Board

CC Brian Batt, Aquaculture & Foreshore Management Division.

Mr Timmy Dooley TD  
Minister of State at the Department of Agriculture, Food and the Marine  
Leinster House  
Kildare Street  
Dublin 3

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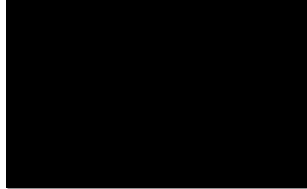
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Karl Brogan  
Secretary to the Board

CC Brian Batt, Aquaculture & Foreshore Management Division.

Mr Noel Roche



04 November 2025

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Karl Brogan

Secretary to the Board

Dr Elaine McGoff

An Taisce



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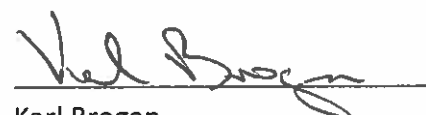
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Karl Brogan  
Secretary to the Board

Jim Hurley



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