

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

03 July 2025



Appeal Refs: AP3/2020; AP4/1-2/2020; AP5/2020; AP6/2020; AP7/2020; AP8/2020;
AP11/2020; AP12/2020; AP15/2020; AP16/2020
Site Refs: T12/407B; T12/409A; T12/409B; T12/441A; T12/441B; T12/441C; T12/500A;
T12/502A; T12/515A; T12/516A

Re: Save Ballyness Bay S.A.C. Action Group and Brian Farrell v The Aquaculture Licences Appeals Board and the Minister for Agriculture, Food and the Marine and Ors
High Court Record Numbers: 2024/1056-1061 and 2024/1064-1067 JR (the “Proceedings”)

Dear Minister,

I refer to the determinations of the Aquaculture licences Appeals Board (the “**Board**”) made on 22 May 2024 bearing the above-referred appeal reference numbers (the “**Determinations**”), and which confirmed (subject to variation in respect of AP5/2020) by the Minister for Agriculture, Food and the Marine’s decisions to grant licences for aquaculture activities comprising of the cultivation of pacific oysters using bags and trestles and the cultivation of clams on wooden trays under mesh on the above-referred foreshore sites.

The above judicial review Proceedings subsequently issued, which sought to challenge the Determinations of the Board. I confirm that they were conceded by the Board on the basis that that it failed to meet its obligations to ensure fair procedures in the course of the appeals by not inviting submissions from all parties in relation to the Supplementary NIS prepared by the licenced applicants and furnished to the Board in September 2023.

The High Court made orders on consent on 7 April 2025 quashing the Determinations, as well as any associated aquaculture and foreshore licences that were issued by the Minister, and remitting the appeals to be determined by the Board in accordance with law. A copy of these orders will be made available on the Board's website at the following link: <https://www.alab.ie/activeappeals/appealsyearsreceived/appealsreceivedin2020/ap32020/#d.en.186752>

For completeness, it is noted that a stay was placed on the orders, including remittal, in appeal Refs 3, 6 and 15/2020 for a period of 8 weeks from perfection of the Orders on 11 April 2025.

Accordingly, a total of 12 of the 18 appeals in relation to licence applications in Ballyness Bay Co. Donegal have now been remitted to the Board for further consideration. The Board will continue to consider the remitted appeals as a single appeal pursuant to section 42(1) of the Fisheries (Amendment) Act, 1997, as amended (the "Act") and I refer to the Board's correspondence of 29 November 2021 in this respect.

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 17 June 2025, the Board considered the timescale for making a determination in these appeals in light of the remittal and has formed the view that it will not be in a position to determine this appeal within four months of remittal. The Board has therefore decided to extend the timeframe for the consideration of these appeals to facilitate it requesting further information from the licence applicants (including an updated NIS), and to enable submissions to be made on this information.

Therefore, the Board hereby gives notice, as provided for in Section 56(3) of the Act, of its intention to determine the Appeals by 28 February 2026.

I confirm that the Board will issue further correspondence in due course.

Yours sincerely



Karl Brogan
Secretary to the Board

c.c. Brian Batt, Aquaculture Foreshore Management Division

FAO: Dr Rick Officer
CEO Marine Institute
Rinville
Oranmore
Co Galway
H91 R673

03 July 2025

By Email: [REDACTED]

Appeal Refs: AP3/2020; AP4/1-2/2020; AP5/2020; AP6/2020; AP7/2020; AP8/2020;
AP11/2020; AP12/2020; AP15/2020; AP16/2020

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High Court Record Numbers: 2024/1056-1061 and 2024/1064-1067 JR (the "Proceedings")**

Dear Mr Officer,

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Yours sincerely



Karl Brogan
Secretary to the Board

Joseph Friel



03 July 2025

By Email:



Appeal Refs: AP3/2020; AP4/1-2/2020; AP5/2020; AP6/2020; AP7/2020; AP8/2020;
AP11/2020; AP12/2020; AP15/2020; AP16/2020

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Dear Mr Friel,

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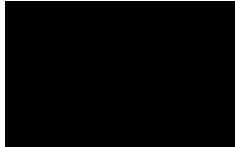
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Yours sincerely



Karl Brogan
Secretary to the Board

Edward & Paul O'Brien



03 July 2025

Email: 

Appeal Refs: AP3/2020; AP4/1-2/2020; AP5/2020; AP6/2020; AP7/2020; AP8/2020;
AP11/2020; AP12/2020; AP15/2020; AP16/2020

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Yours sincerely



Karl Brogan
Secretary to the Board

Joseph Coll

03 July 2025

Email: [REDACTED]

Appeal Refs: AP3/2020; AP4/1-2/2020; AP5/2020; AP6/2020; AP7/2020; AP8/2020;
AP11/2020; AP12/2020; AP15/2020; AP16/2020

Site Refs: T12/407B; T12/409A; T12/409B; T12/441A; T12/441B; T12/441C; T12/500A;
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High Court Record Numbers: 2024/1056-1061 and 2024/1064-1067 JR (the "Proceedings")

Dear Mr Coll,

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Yours sincerely



Karl Brogan
Secretary to the Board

Anthony McCafferty



03 July 2025

Email:



Appeal Refs: AP3/2020; AP4/1-2/2020; AP5/2020; AP6/2020; AP7/2020; AP8/2020;
AP11/2020; AP12/2020; AP15/2020; AP16/2020

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Dear McCafferty,

I refer to the determinations of the Aquaculture licences Appeals Board (the "**Board**") made on 22 May 2024 bearing the above-referred appeal reference numbers (the "**Determinations**"), and which confirmed (subject to variation in respect of AP5/2020) by the Minister for Agriculture, Food and the Marine's decisions to grant licences for aquaculture activities comprising of the cultivation of pacific oysters using bags and trestles and the cultivation of clams on wooden trays under mesh on the above-referred foreshore sites.

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Yours sincerely



Karl Brogan
Secretary to the Board

Ms Caroline Bocquel CEO
Bord Iascaigh Mhara
Crofton Road
Dún Laoghaire
Co Dublin
A96 E5A0

03 July 2025

By Email: [REDACTED]

Appeal Refs: AP3/2020; AP4/1-2/2020; AP5/2020; AP6/2020; AP7/2020; AP8/2020;
AP11/2020; AP12/2020; AP15/2020; AP16/2020

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Dear Ms Bocquel,

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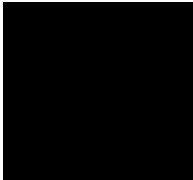
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Yours sincerely



Karl Brogan
Secretary to the Board

Save Ballyness Bay
C/O Mr John Connaghan,



03 July 2025

By Email: 

Appeal Refs: AP3/2020; AP4/1-2/2020; AP5/2020; AP6/2020; AP7/2020; AP8/2020;
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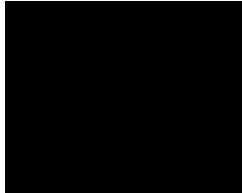
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Yours sincerely



Karl Brogan
Secretary to the Board

John Boyle



03 July 2025

By Email:



Appeal Refs: AP3/2020; AP4/1-2/2020; AP5/2020; AP6/2020; AP7/2020; AP8/2020;
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For completeness, it is noted that a stay was placed on the orders, including remittal, in appeal Refs 3, 6 and 15/2020 for a period of 8 weeks from perfection of the Orders on 11 April 2025.

Accordingly, a total of 12 of the 18 appeals in relation to licence applications in Ballyness Bay Co. Donegal have now been remitted to the Board for further consideration. The Board will continue to consider the remitted appeals as a single appeal pursuant to section 42(1) of the Fisheries (Amendment) Act, 1997, as amended (the "Act") and I refer to the Board's correspondence of 29 November 2021 in this respect.

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 17 June 2025, the Board considered the timescale for making a determination in these appeals in light of the remittal and has formed the view that it will not be in a position to determine this appeal within four months of remittal. The Board has therefore decided to extend the timeframe for the consideration of these appeals to facilitate it requesting further information from the licence applicants (including an updated NIS), and to enable submissions to be made on this information.

Therefore, the Board hereby gives notice, as provided for in Section 56(3) of the Act, of its intention to determine the Appeals by 28 February 2026.

I confirm that the Board will issue further correspondence in due course.

Yours sincerely



Karl Brogan
Secretary to the Board

National Parks & Wildlife Service
90 King Street North
Dublin 7
D07 N7CV

03 July 2025

Appeal Refs: AP3/2020; AP4/1-2/2020; AP5/2020; AP6/2020; AP7/2020; AP8/2020;
AP11/2020; AP12/2020; AP15/2020; AP16/2020
Site Refs: T12/407B; T12/409A; T12/409B; T12/441A; T12/441B; T12/441C; T12/500A;
T12/502A; T12/515A; T12/516A

Re: Save Ballyness Bay S.A.C. Action Group and Brian Farrell v The Aquaculture Licences Appeals Board and the Minister for Agriculture, Food and the Marine and Ors
High Court Record Numbers: 2024/1056-1061 and 2024/1064-1067 JR (the “Proceedings”)

Dear Sirs,

I refer to the determinations of the Aquaculture licences Appeals Board (the “**Board**”) made on 22 May 2024 bearing the above-referred appeal reference numbers (the “**Determinations**”), and which confirmed (subject to variation in respect of AP5/2020) by the Minister for Agriculture, Food and the Marine’s decisions to grant licences for aquaculture activities comprising of the cultivation of pacific oysters using bags and trestles and the cultivation of clams on wooden trays under mesh on the above-referred foreshore sites.

The above judicial review Proceedings subsequently issued, which sought to challenge the Determinations of the Board. I confirm that they were conceded by the Board on the basis that that it failed to meet its obligations to ensure fair procedures in the course of the appeals by not inviting submissions from all parties in relation to the Supplementary NIS prepared by the licenced applicants and furnished to the Board in September 2023.

The High Court made orders on consent on 7 April 2025 quashing the Determinations, as well as any associated aquaculture and foreshore licences that were issued by the Minister, and

remitting the appeals to be determined by the Board in accordance with law. A copy of these orders will be made available on the Board's website at the following link: <https://www.alab.ie/activeappeals/appealsyearsreceived/appealsreceivedin2020/ap32020/#d.en.186752>

For completeness, it is noted that a stay was placed on the orders, including remittal, in appeal Refs 3, 6 and 15/2020 for a period of 8 weeks from perfection of the Orders on 11 April 2025.

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Yours sincerely



Karl Brogan
Secretary to the Board

Dr Elaine McGoff
An Taisce
Tailors Hall
Back Lane
Dublin 8

Email: [REDACTED]

03 July 2025

Appeal Refs: AP3/2020; AP4/1-2/2020; AP5/2020; AP6/2020; AP7/2020; AP8/2020;
AP11/2020; AP12/2020; AP15/2020; AP16/2020

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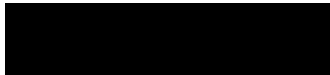


Karl Brogan
Secretary to the Board

Mr David Friel
Water and Environment Section
Donegal County Council
Mailin Road
Carndonagh
Co. Donegal
F93 YV1N

03 July 2025

By Email:



Appeal Refs: AP3/2020; AP4/1-2/2020; AP5/2020; AP6/2020; AP7/2020; AP8/2020;
AP11/2020; AP12/2020; AP15/2020; AP16/2020

Site Refs: T12/407B; T12/409A; T12/409B; T12/441A; T12/441B; T12/441C; T12/500A;
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Dear Mr Friel,

I refer to the determinations of the Aquaculture licences Appeals Board (the "**Board**") made on 22 May 2024 bearing the above-referred appeal reference numbers (the "**Determinations**"), and which confirmed (subject to amendment in respect of AP5/2020) by the Minister for Agriculture, Food and the Marine's decisions to grant licences for aquaculture activities comprising of the cultivation of pacific oysters using bags and trestles and the cultivation of clams on wooden trays under mesh on the above-referred foreshore sites.

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