



Ref: T08/115A

Sliogeisc Siar Teoranta,
36 Mullen Mor,
Tuam Road,
Co. Galway

**FISHERIES (AMENDMENT) ACT, 1997 (NO.23)
NOTICE OF MINISTERIAL DECISION TO REFUSE AQUACULTURE LICENCE AND
FORESHORE LICENCE.**

Dear Ms Buckley,

I wish to inform you of the Minister for Agriculture, Food and the Marine Decision on the following aquaculture and accompanying Foreshore Licence application (see attached information notes):-

Site Reference Number	Ministerial Decision	Species & Method
T08/115A	Refuse to Grant Licence	Native and Pacific Oysters using Bags and trestles, float and bag, moulded baskets and longlines

I enclose an extract from the public notice of the decision which the Department has arranged to have published in "Clare Champion".

Any person aggrieved by the decision may, in accordance with Section 41 of the Fisheries (Amendment) Act 1997, appeal against it in writing to the Aquaculture Licences Appeals Board. This appeal must be lodged within one month beginning on the date of the publication of the decision.

In addition, a person may question the validity of the Foreshore Licence determination by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at: <http://www.citizensinformation.ie/>

Yours sincerely

Aquaculture and Foreshore Management Division
02/11/2020



**S.12 (3) OF THE FISHERIES (AMENDMENT) ACT, 1997(NO.23)
INFORMATION NOTE TO APPLICANT FOR THE PURPOSE OF REGULATION 18 OF
THE AQUACULTURE (LICENCE APPLICATION) REGULATIONS 1998**

REFERENCE NO: T08/115A

APPLICANT: Sliogeisc Siar Teoranta

**AQUACULTURE TO WHICH
DECISION RELATES:** The culture of Native and Pacific Oysters using
Bags and trestles, float and bag, moulded baskets
and longlines on the foreshore in Aughinish
Peninsula, Co. Clare.

NATURE OF DECISION: Refusal of Licence.

DATE OF DECISION: 29th October 2020

REASON FOR REFUSAL:

- Due to the presence of the native oyster, *Ostrea edulis* as well as the presence of the non native invasive seaweed *Sargassum muticum* at Site T08/115A and the risk of the dispersal of *Sargassum muticum* beyond the boundaries of the site.
- The physical suitability of the site for trestles is questionable only parts may be suitable. At the southern end of the site the substrate consists of mobile sands. The development as proposed would be likely to cause disturbance to the habitat if the boulder lines or parts of the boulder lines on the site were to be moved to allow trestle placement.
- The site is located within the Galway Bay SAC. An Article 6 Appropriate Assessment has been carried out in relation to aquaculture activities in this SAC. Taking account of the recommendations of the Appropriate Assessment the proposed aquaculture activity at this site is not consistent with the Conservation Objectives for the SAC.
- The potential risks from licensing the proposed aquaculture activities at this site, on the integrity of the Natura 2000 site cannot be discounted.



**FISHERIES (AMENDMENT) ACT, 1997 (NO. 23) AND FORESHORE ACT, 1933 (NO. 12)
NOTICE OF DECISIONS IN RELATION TO AQUACULTURE AND FORESHORE LICENCES**

The Minister for Agriculture, Food and the Marine has made determinations on the Aquaculture and Foreshore Licence applications as set out in the table below in Co. Clare:-

Site Ref No	Applicants	Species & Method	Location	Minister's Decisions
T08/115A	Sliogeisc Siar Teoranta, 36 Mullen Mor, Tuam Road, Co. Galway	Native and Pacific Oysters using Bags and trestles, float and bag, moulded baskets and longlines	Aughinish Penninsula, Co Clare	Refuse to Grant Licence

The reasons for these decisions are elaborated on the Department's website at:
<http://www.agriculture.gov.ie/seafood/aquacultureforeshoremanagement/aquaculturelicensing/aquaculturelicencedecisions/clare>

An appeal against the Aquaculture Licence decision may be made in writing, within one month of the date of its publication, to THE AQUACULTURE LICENCES APPEALS BOARD, Kilminchy Court, Portlaoise, Co. Laois, by completing the Notice of Appeal Application Form available from the Board, phone 057 86 31912, e-mail info@alab.ie or website at <http://www.alab.ie/>

A person may question the validity of the Foreshore Licence determination by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at: <http://www.citizensinformation.ie/>