

**NOTICE OF APPEAL UNDER SECTION 40(1) OF
FISHERIES (AMENDMENT) ACT 1997 (NO. 23)**



Appeal Form

**Please note that this form will only be accepted by REGISTERED POST
or handed in to the ALAB offices**

Name of Appellant (block letters) **ROSS SHELFISH LTD, CARL DALYD FOR, SHAMROCK SHELFISH LTD**
 Address of Appellant **RIGA HOUSE
 KILMORRIS
 CO. WICK**

Phone: _____ Email: _____
 Mobile: _____ Fax: _____

Fees

Fees must be received by the closing date for receipt of appeals	Amount	Tick
Appeal by licence applicant	€380.92	
Appeal by any other individual or organisation	€152.97	<input checked="" type="checkbox"/>
Request for an Oral Hearing* (fee payable in addition to appeal fee)	€76.18	

* In the event that the Board decides not to hold an Oral Hearing the fee will not be refunded.
 (Cheques Payable to the Aquaculture Licences Appeals Board in accordance with the Aquaculture Licensing Appeals (Fees) Regulations, 1998 (S.I. No. 449 of 1998))

Electronic Funds Transfer Details
 IBAN: **IE89AIBK93104704051067**
 BIC: **AIBKIE2D**

Subject Matter of the Appeal

**NOT TO GRANT LICENCES TO KUSH SEAFARMS LTD
 AND INSTEAD GIVE TO MERRILL LYONS**

**AQUACULTURE LICENCES
 APPEALS BOARD
 30 OCT 2019
 RECEIVED**

Site Reference Number:-
(as allocated by the Department of Agriculture, Food and the Marine)

T06/360A

Appellant's particular interest in the outcome of the appeal:

TO ACHIEVE AN OUTCOME THAT IS
FAIR AND REMOVE THE POSSIBILITY
OF CONFLICT

Outline the grounds of appeal (and, if necessary, on additional page(s) give full grounds of the appeal and the reasons, considerations and arguments on which they are based):

PLEASE SEE ATTACHED

Signed by appellant:



Date: 21 Dec 11

**Please note that this form will only be accepted by REGISTERED POST
or handed in to the ALAB offices**

Fees must be received by the closing date for receipt of appeals

This notice should be completed under each heading and duly signed by the appellant and be accompanied by such documents, particulars or information relating to the appeal as the appellant considers necessary or appropriate and specifies in the Notice.

DATA PROTECTION – the data collected for this purpose will be held by ALAB only as long as there is a business need to do so and may include publication on the ALAB website

Please forward completed forms to: Aquaculture Licences Appeals Board, Kilminchy Court, Dublin Road, Portlaoise, Co. Laois. Tel: (057) 8631912 Email: info@alab.ie

Extracts from Act

40.—(1) A person aggrieved by a decision of the Minister on an application for an aquaculture licence or by the revocation or amendment of an aquaculture licence may, before the expiration of a period of one month beginning on the date of publication in accordance with this Act of that decision, or the notification to the person of the revocation or amendment, appeal to the Board against the decision, revocation or amendment, by serving on the Board a notice of appeal.

(2) A notice of appeal shall be served—

(a) by sending it by registered post to the Board,

(b) by leaving it at the office of the Board, during normal office hours, with a person who is apparently an employee of the Board, or

(c) by such other means as may be prescribed.

(3) The Board shall not consider an appeal notice of which is received by it later than the expiration of the period referred to in subsection (1).

41.—(1) For an appeal under section 40 to be valid, the notice of appeal shall—

(a) be in writing,

(b) state the name and address of the appellant,

(c) state the subject matter of the appeal,

(d) state the appellant's particular interest in the outcome of the appeal,

(e) state in full the grounds of the appeal and the reasons, considerations and arguments on which they are based, and

(f) be accompanied by such fee, if any, as may be payable in respect of such an appeal in accordance with regulations under section 63, and

shall be accompanied by such documents, particulars or other information relating to the appeal as the appellant considers necessary or appropriate.

**Appeal against the granting of License application
T06/360A to Kush Seafarms.**

Submitted by;

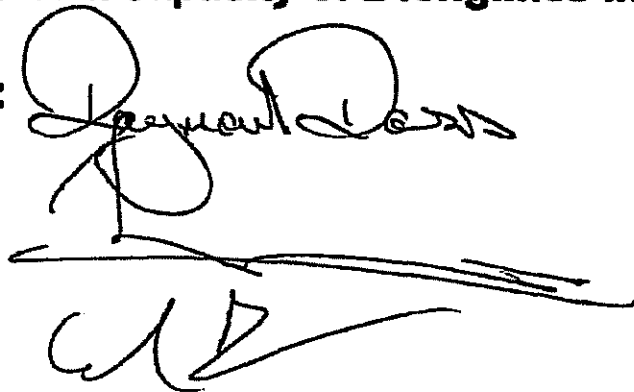
**Carl Daly & Son. Ltd.
Ross Shellfish Ltd.
Shamrock Shellfish Ltd.**

Reasons for Appeal.

Kieran Lyons has farmed 2 mussel longlines in this location for over 15 years earning a living for himself and his family. We believe it is immoral and unjust to now take these two longlines of capacity which is all that Kieran and his family have and give them to Kush Seafarms Ltd., a company that is already licensed for over 60 hectares of mussel cultivation sites.

We believe that Kieran should be licensed for his present farm capacity of 2 longlines in this location.

Signed:



A handwritten signature in black ink, appearing to read 'Raymond Ross', is written over a horizontal line. Below the line, there are additional scribbled marks.

29 OCT



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RegisteredPost g

AGRICULTURE LICENCES APPEALS BO

KILMURCHY COURT,

DUBLIN ROAD,

POERLAOISE,

Co. LAOIS

