

**ALAB**An Bord Achomhairc Um
Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**Notice of Appeal Under Section 40(1) of Fisheries (Amendment) Act 1997 (No.23)****API-108-25**
APPEAL FORM

Please note that in accordance with Section 40(2) of the 1997 Act this form will only be accepted if delivered by **REGISTERED POST** or by hand to the ALAB offices at the following address: **Aquaculture Licences Appeals Board, Kilminchy Court, Dublin Road, Portlaoise, Co. Laois, R32 DTW5**

Name of Appellant (Block Letters)

SIOBHAN BOWDEN
DAVID BOWDEN

Address of Appellant

**AQUACULTURE LICENCES
APPEALS BOARD**

28 JUN 2025

RECEIVED

Eircode

Phone No.

Email address (enter below)

Mobile No.

Please note if there is any change to the details given above, the onus is on the appellant to ensure that ALAB is notified accordingly.

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

Amount

Tick

An appeal by an applicant for a licence against a decision by the Minister in respect of that application

€380

An appeal by the holder of a licence against the revocation or amendment of that licence by the Minister

€380

An appeal by any other individual or organisation

€150

✓

Request for an Oral Hearing* (fee payable in addition to appeal fee)

€75

*In the event that the Board decides not to hold an Oral Hearing the fee will not be refunded

Fees can be paid by way of Cheque or Electronic Funds Transfer

Cheques are payable to the Aquaculture Licences Appeals Board in accordance with the Aquaculture Licensing Appeals (Fees) Regulations, 2021 (S.I. No. 771 of 2021)

Electronic Funds Transfer Details

IBAN:

IE89AIBK93104704051067

BIC: AIBKIE2D

Please note the following:

1. Failure to submit the appropriate fee with your appeal will result in your appeal being deemed invalid.
2. Payment of the correct fees must be received on or before the closing date for receipt of appeals, otherwise the appeal will not be accepted.
3. The appropriate fee (or a request for an oral hearing) must be submitted against each determination being appealed.



R 034 139 41E

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe | Aquaculture Licences Appeals Board

Cúirt Chóirí Mhara, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5

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

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The Legislation governing the appeals is set out at Appendix 1 below.

SUBJECT MATTER OF THE APPEAL	
<p>The Minister of Agriculture, Food and Marine has granted an aquaculture to Woodstown Bay Shellfish Limited to cultivate mussels using bottom culture on the sub-tidal foreshore on a 23.1626 hectare site (T05-472A) in Kinsale Harbour, Co. Cork in May 2025.</p> <p>We request that you review the application, request further information, and reject the Minister's determination to grant this licence.</p>	
<p>Site Reference Number: - (as allocated by the Department of Agriculture, Food, and the Marine)</p>	<p>T05/472A Mussel Farm in Kinsale Harbour</p>
APPELLANT'S PARTICULAR INTEREST	
<p>Briefly outline your particular interest in the outcome of the appeal:</p> <p>As a resident of Kinsale, the granting of a licence for T05/472A does not bring any advantages to the community of Kinsale.</p> <ol style="list-style-type: none"> 1. The proposed licence does not have a positive effect on the economy of the local area. 2. Recreational activities will be impacted by this mussel farm. 3. The licence was submitted 21 December 2018, with public consultation in 2019, however no further public contact has been initiated by the Department of Agriculture, Food and Marine with residents and businesses in Kinsale. 	
GROUNDS OF APPEAL	
<p>State in full the grounds of appeal and the reasons, considerations, and arguments on which they are based (if necessary, on additional page(s)):</p> <ol style="list-style-type: none"> 1. As per the Ministers determination: 'The proposed development should have a positive effect on the economy of the local area'. The proposed employment of 6 people over 4 years are not based in Kinsale, County Cork. As per the application the purification facility is in Dunmore East, County Waterford. Potentially this mussel farm could have a very negative impact to the economy of the local area, with loss from tourism and to local fishermen/fisherwomen. A full Social Impact Assessment should be completed to understand the full economically impact of this mussel farm to Kinsale and surrounding area. 2. The licence proposed is for mussels seed to be spread over 23.1626 hectares, which would not be secured to the sea bed. To the west of the proposed site is a sandy beach (The Dock beach), which is used by locals and tourist for swimming and kayaking, through out the year. Every year storms move the sands in the harbour, where the Dock beach can have a depth of 50 cms taken off the beach. Over time the sands are restored to the beach. After the first storms, with the proposed mussel farm, these mussels and also their feces and pseudofeces will be tossed outside the 23.1626 hectare into our harbour and onto our beach. There needs to be an health and safety assessment on the potential of the water quality with the mussel farm in operation. 3. Since the submission of the application in 2018, Kinsale Harbour has increased for both recreational and business. Yet the licence was determined in May 2025 - over 6 years later. This extended delay is at odds with the intent of the Fisheries (Amendment) Act 1997, which mandates that decisions be made as soon as reasonably practicable. This delay risks relying on outdated data and fails to reflect current stakeholder conditions. It raises legitimate concerns regarding the procedural fairness and validity of the decision. 	

**ALAB**

An Bord Achomhlaire Um
Cheadúnais Dobharshaothratho
A Bord for Aquaculture Licences Appeals

CONFIRMATION NOTICE ON EIA PORTAL (if required)

In accordance with Section 41(1) of the Fisheries (Amendment) Act 1997, where an Environmental Impact Assessment (EIA) is required for the project in question, please provide a copy of the confirmation notice, or other evidence (such as the Portal ID Number) that the proposed aquaculture the subject of this appeal is included on the portal established under Section 172A of the Planning and Development Act 2000. (See Explanatory Note at Appendix 2 below for further information).

Please tick the relevant box below:

EIA Portal Confirmation Notice is enclosed with this Notice of Appeal		
Other evidence of Project's inclusion on EIA Portal is enclosed or set out below (such as the Portal ID Number)		
An EIA was not completed in the Application stage/the Project does not appear on the EIA Portal		✓
Details of other evidence		
Signed by the Appellant		Date 23-June-2025

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

Payment of fees must be received on or before the closing date for receipt of appeals, otherwise the appeal will be deemed invalid.

This Notice of Appeal should be completed under each heading, including all the documents, particulars, or information as specified in the notice and duly signed by the appellant, and may include such additional documents, particulars, or information relating to the appeal as the appellant considers necessary or appropriate."

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