

API-139-LS

# AQUACULTURE LICENCES APPEALS BOARD



# ALAB

An Bord Achomhairc Um  
Cheadúnais Dobharshaothraithe  
Aquaculture Licences Appeals Board

30 JUN 2025 Appeal Under Section 40(1) of Fisheries (Amendment) Act 1997 (No.23)

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## 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)

KINGALE HISTORY SOCIETY

Address of Appellant

Eircode

Phone No.

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)

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

€75

✓

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.



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

SUBJECT MATTER OF THE APPEAL	
<p>Application to place Mussel cultivation in Kinsale Harbour (DOCK)</p>	
<p>Site Reference Number: - 105-472619 (as allocated by the Department of Agriculture, Food, and the Marine)</p>	
APPELLANT'S PARTICULAR INTEREST	
<p>Briefly outline your particular interest in the outcome of the appeal:</p> <p>Secretary of the Kinsale History Society which works to preserve the history and heritage of the area for the benefit of residents and visitors.</p> <p>The Battle of Kinsale (1601) saw some of the most intensively fought take place on the beach and peninsula. It was the area used by the Irish State to capture Kinsale 1602. In 1601, another battle was fought in 1602. It is a Mecca for local History Societies - national and overseas.</p>	
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> <p>A mussel farm would disrupt work of the Cork Sub Aqua club so never as safe as well as the daily Harbour cruise which highlights the history of the area. Mussel Dredging would destroy the beach and stop access for History Societies. It would greatly diminish Kinsale's reputation as one of the most historic towns. Public Access would be prevented.</p>	

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Aquaculture Licences Appeals Board**CONFIRMATION NOTICE ON EIA PORTAL (if required)**

In accordance with Section 41(1) f 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	Des Erin - Hell or Save Place Wex 1601 ML MULMAY - History of Hinsale Kusale Wieding Street - Kusale Record Vol 1-32 Ph. J. Devitt Report - former Harbour Master.	
Signed by the Appellant		Date 21-06-2025
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.

**Phil Devitt, former Harbour Master Kinsale**

**In relation to the saga of the Mussel Farm licence, I want to comment on my experience with Woodstown Bay Shellfish Company.**

**This company is run by the Barlow family in Co Wexford, in particular by Paul Barlow, who lives in Dunmore East. Sometime around 2007 he applied for a similar licence which he is looking for now. Everybody that was connected in some way with marine matters in Kinsale, put in strong objections to this license, including the Harbour Board. We knew what damage would occur from the mussels.**

**Unfortunately, the licence was granted, signed by John Brown, Minister of State in the Department of Communication, Marine and Natural Resources (with special responsibility to Fisheries) and was from Co Wexford ( his son, James Brown is the present Minister for Housing. It my understanding that Paul Barlow was given a grant to build a Mussel Dredger ( built somewhere other than Ireland).**

**He eventually came into Kinsale early one morning, with no communication or permission from me as Harbour Master, and proceeded to deposit seed mussels from Blockhouse to Money Point. Within a short period of time, the seed found its way into the inner harbour on a flood tide, attaching themselves to all the moorings, and as they grew, proceeded to sink the moorings with the weight, creating hazards for boats navigating in the harbour. Worse still, the seed mussels attached themselves to fishing boats and yachts, blocking cooling water intakes to engines, and causing damage to the engines. They also attached themselves to the propellers, thus slowing down manoeuvring through the water. I, along with Timmy, my general worker, had to, on regular occasions, scrape off the mussels on the Fishermen's Pontoon as they were weighing in down. The yacht club manager had the same problem.**

**Only once did Paul Barlow come into the harbour to dredge the area , some months later, again without permission. I tried calling him on the VHF but got no response. The same problems will occur again if he allowed to proceed with this (his 2nd licence).**

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APPEALS BOARD**

**30 JUN 2025**

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