

API-140-25

AQUACULTURE LICENCES APPEALS BOARD

30 JUN 2025



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)

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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)

DEARMOT RYAN

Address of Appellant

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) *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.

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe | Aquaculture Licences Appeals Board

Cúirt Choill Mhínsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5

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

Phone: +353 (0) 57 8631912

R-phost/Email: info@alab.ie

www.alab.ie

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Simú Riach / Sg. Reg.

RL 0156 0498 31E



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Aquaculture Licences Appeals Board

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

SUBJECT MATTER OF THE APPEAL	
<p>Applicants to cultivate mussels in Kinsale Harbour (Doerona)</p>	
Site Reference Number: - 105-4726A (as allocated by the Department of Agriculture, Food, and the Marine)	
APPELLANT'S PARTICULAR INTEREST	
<p>Briefly outline your particular interest in the outcome of the appeal:</p> <p>The Dock area is the safest bathing area in Kinsale, used by generations of Kinsale residents. My wife and I, our children and grand children enjoyed it along with so many others. If the area is destroyed by mussel cultivation it will destroy such a precious amenity for young and old.</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>mussels will contaminate the water Broken shells will endanger users of the beach. The mussels will damage seaboard waters and fish boats in the area The area will be inaccessible and deprived locals and visitors of an invaluable amenity. It will also damage sea-grass etc.</p>	

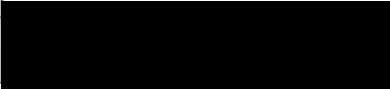
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Aquaculture Licences Appeals Board

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	• Statute by Phil Dault, James Harbour master. • Top Fish. eu - Coast Harbour mussel Dredging -	
Signed by the Appellant		Date 21-6-2025
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.

Headline

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Home > Headline > * Cork Harbour Mussel Dredging – The Race to the Bottom!

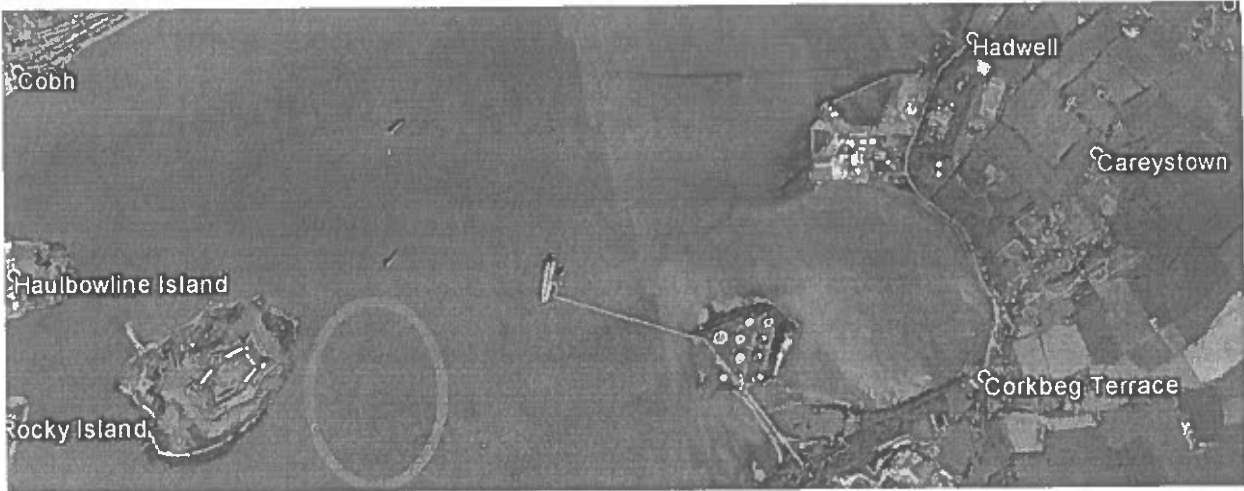
* Cork Harbour Mussel Dredging – The Race to the Bottom!

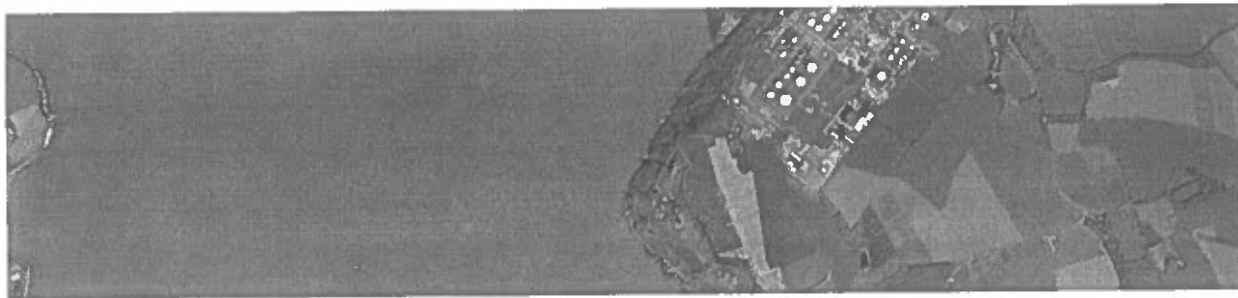
 READING TIME
6 min



TopFisher.eu

(Click on pictures to view full size)





Dredged Area – (Approx) Ringed in red.

Mussel Dredging – Cork Harbour

Firstly lets establish the facts:

In late November 2015 some mussel dredgers appeared in Cork Harbour. They set about working dredging mussels from a mussel bed located near Spike Island.

The boats appeared to work around the clock, dredging and disgorging their catch unto the deep water quay in Cobh. The mussels, by then packed into 1 ton bags, were loaded into curtainsider artic trailers and were shipped out. In the short time witnessed, eight artic loads were taken away. That would be approximately 20 tons each – 160 tons in the short time we witnessed. The boats appeared to work through the night at times during their operation. We do not know yet the tonnage that was extracted over the duration of the dredging.

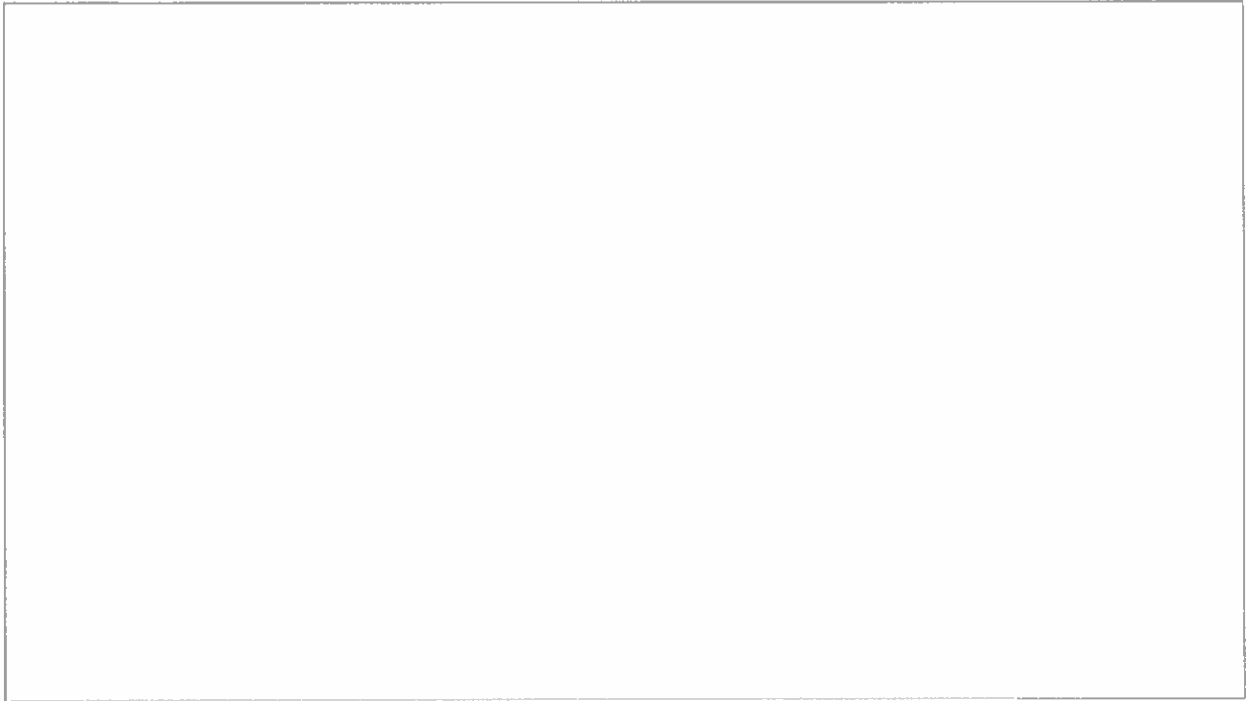
Weather condition that first weekend were horrendous. The boats operated in stormy conditions with winds gusting over 60mph.

The dredging eased up around mid-week and was finished completely on or around December 7.

Many people raised concern about the dredging. The longer the dredging continued and the industrial nature of the work the more questions were being raised.

You see a video of the pier here: form SailCork.com:

<https://www.facebook.com/sailcork/videos/10153775110523114/>



Dredgers operating in stormy conditions (Still Taken from Sail Cork video.)

Dredging aftermath

We have never witnessed mussel dredging in Cork Harbour before. Certainly dredging of this magnitude has not been carried out before. The industry has somewhat of a dubious reputation and we would have concerns about the ecological impact of such dredging.

The Sea Fishery Protection Authority (SFPA) would have some role in policing mussel dredgers so we contacted them. It would appear that their role is only minor. They should be notified that dredging would take place and they should be notified how much mussel has been removed. They do not have a role in authorising the dredging in the first place. That role is carried out by the Department of Agriculture, Food and the Marine (DAFM). We contacted DAFM. We were referred to the department's press office. We submitted an email to the department outlining the queries we had:

- Is there a seed mussel dredging season?
- Was there an assessment of the quantity of mussels in place in the area that was dredged? (East/SE of Spike Island)
- Is there control/regulation/a limit to the amount of mussels that can be extracted from the area being dredged?
- Is there any impediment for boats to dredge in other areas of the harbour (other than normal shipping channel rules etc.)?

Just about four weeks later we received a reply from DAFM:



The text in full:

“Mussel seed fishing is generally managed on a seasonal basis. The Minister opened the 2015 autumn seed mussel fishery in the exclusive fishery limits of the State on 5 September 2015, the date proposed by the Bottom Grown Mussel Consultative Forum. The Forum, established in 2009, makes recommendations to the Minister on various aspects of the management of the fishery, including proposing opening and closing dates of the fishery. The Department does not have a role in assessing any fish stock.

In making his decision, the Minister took into consideration the recommendations from the Forum, technical advice received from Bord Iascaigh Mhara, including survey reports published on BIM’s website, and scientific advice received from the Marine Institute regarding the fishery.

Designated conservation sites, Natura 2000 areas, remained closed under Fisheries Natura Declaration No. 2 of 2014. The fishery closed on 9 December 2015.

When the Minister opens a seed mussel fishery, fishing boats holding a valid authorisation to fish for seed mussel are allowed to fish for seed within the exclusive fishery limits of the State, except for in Natura areas closed under Fisheries Natura Declaration No. 2 of 2014.

A mussel seed authorisation specifies the quantity of seed that may be fished by the sea-fishing boat, where it is to be re-laid, together with other regulatory requirements. Fishermen are responsible for compliance with rules and regulations governing navigation and other aspects of fishing boat operations.”

Artic trucks being loaded with 1 ton bags

Seed Mussel Dredging

Dredging for mussels is an industry that has a dubious reputation in terms of its environmental impact. The practice involves dredging (dragging a metal dredge across the seabed) small immature mussels (spat) from the seabed and transporting them to a calm water area. In this area the “seed” mussels are spread on the bottom and are dredged up again when they reach a marketable size.

It is our understanding that seed mussels are usually away from the established

mussel beds and are the result of spawning activity on large mussel beds. The “seed” beds are located by surveys of areas and are harvested before winter storms can wash them away or before the seed beds are predated on by crustaceans and fish. Seed mussel beds are an important food source in the ecosystem where they exist.

The mussels are usually exported to Holland or Northern Ireland. The Bottom Grown Mussel business is different from the usual Rope Grown Mussel that we are familiar with in bays around the country.

Mussel dredging has a dubious reputation. It is an industry that is mainly located in the east coast. Commentators have no difficulty plotting the demise of quality angling along the east coast with the exploitation of mussel beds off the east coast. It would seem to make sense. If you take a large quantity of mussels from an area where you do not know how many mussels exist; there is a good chance of there not being enough mussels to repopulate the area. If you remove a food source for sea life then the sea life will disappear.

Bord Isaigh Mhara (BIM), the Irish Sea Fisheries Board, conduct sampling studies of seed mussel each year. From what I can see these studies are carried out in the east coast region and in their latest report there was no indication that there was a study carried out in Cork.

<http://www.bim.ie/our-publications/aquaculture/>

It would appear that regulation and control of the industry is largely the responsibility of the industry itself with cursory reporting to the SFPA and DAFM. Authorisations to fish are issued on the advice provided by the industry itself and BIM.

Natura 2000 European protected areas — interactive map [↗](#)

GIS Map Application Published 01 Jan 2012 Last modified 06 Oct 2014, 10:30 AM

Ecological network of European protected areas



Cork Harbour – Areas of conservation and protection

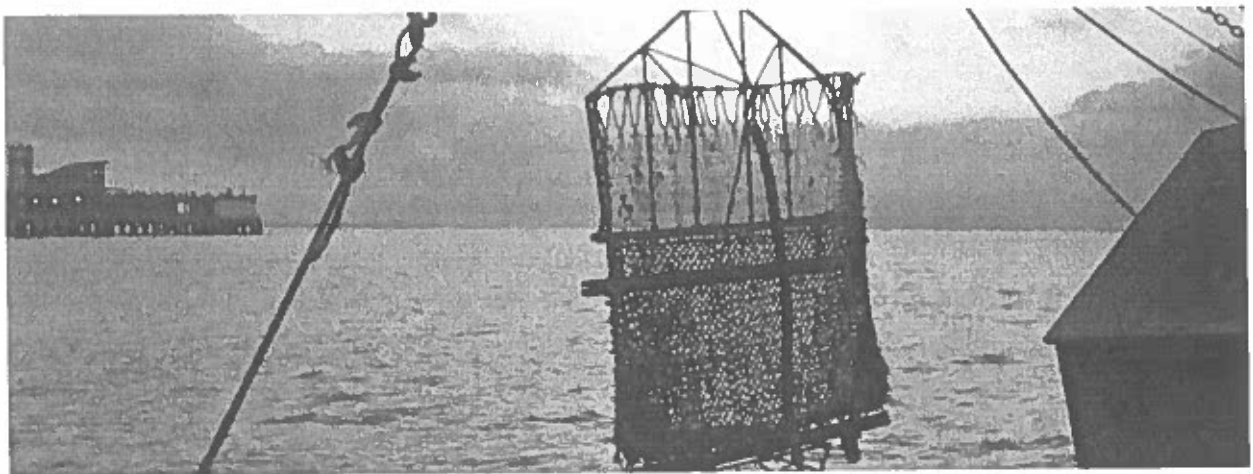
So where does this leave Cork Harbour and mussel dredging?

- The Autumn season for mussel seed dredging is variable. The Autumn season can be assumed to be Mid-September to Early December.
- There was no stock nor environmental impact assessment carried out before dredging.
- The amount of mussel removed by dredge is controlled by the overall limits set out by DAFM each year.
- The Dredgers can operate where they wish within the harbour (within limits of safe pilotage) once the area is not deemed a conservation area (Natura 2000 Area) although sometimes these areas can be dredged with permission and agreement.

So to put it simply it would appear that almost anywhere there is a mussel bed in Cork Harbour it is fair game to these dredgers to clean out totally of seed mussel regardless of whatever impact this has on the harbour.

There is some protection for some shoreline areas within the harbour. Cork Harbour has a few Special Area of Conservation (SAC) and Special Protection Areas (SPA). These areas are largely to do with bird habitat. There is no protection for mussel beds in deeper water.

It would appear from the reply received from the DAFM that mussel dredging in Cork harbour can continue largely unchecked or unhindered.



Destructive fishing... A dredge wrecks the bottom!

What questions remain?

- Is the dubious reputation of Seed Mussel Dredging warranted?
- Is it the case that many areas in the east coast are “no longer viable” due to overfishing and ecosystem destruction?
- Is the demise of fish stocks on the East Coast linked to the removal of mussel beds? Is this the future we want for Cork Harbour?
- How can dredging be allowed continue without an environment impact statement nor a stock assessment?
- Do the business interests of a small number of Seed Mussel Dredgers supersede the wellbeing of our harbour biodiversity?
- Does destructive dredging fit with the ethos of our harbour as a centre of science, study and tourism?
- How can we be sure that our mussel beds are not being totally wiped out in their entirety?
- How can we get our concerns heard and get action taken before our harbour becomes fair game for destructive fishing practices?
- Is there interest and concern from anglers, commercial fishermen, tourism, science and other stakeholders to attempt get this dredging stopped in the future?

Cork Harbour awaits our action!

[box type="alert" style="rounded" border="full"]You are not alone! If you have any comments or information about the above please contact us here at editor@topfisher.eu . If you are a concerned individual or are part of an organisation or group that can help bring the issue of mussel dredging in Cork Harbour to the fore, please contact us.[/box]





Seed Mussel



Publication date: 15/02/2016

Author: jim

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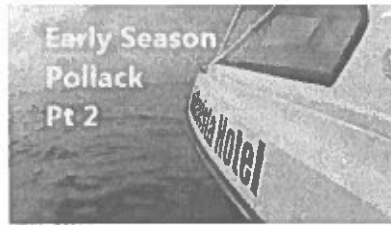
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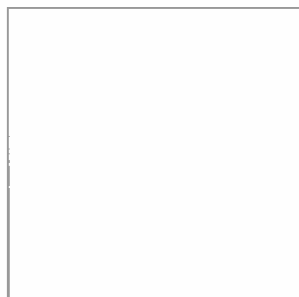
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Phil Devitt, former Harbour Master Kinsale

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).

