

An Bord Achomhairc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board



Mr Tony McGrath
Pullathomas
Ballina
Co Mayo

5 November 2019

Our Ref: AP12/2018
Site Refs: T10/81 A&B

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to refuse an Aquaculture and Foreshore Licence to Mr Tony McGrath for the cultivation of Oysters using bags and trestles on the foreshore in Broadhaven Bay, Co Mayo on Site T10/81

Dear Mr McGrath,

I refer to the Notice of Appeal regarding the above decision of the Minister for Agriculture, Food and the Marine.

The Aquaculture Licences Appeals Board ("the Board") concluded its determination of the above appeal on 9 October 2019 and determined, pursuant to section 40(4)(b) of the Fisheries (Amendment) Act 1997, the application for the Licence as if the application had been made to the Board in the first instance. The determination of the Board is to grant the Licence, and accordingly the Appeal has been allowed.

The reasons for the Board's determination are set out in detail in the Determination dated 4 November 2019, a copy of which is enclosed with this letter. In reaching this Determination, the Board had particular regard to the provisions of s. 69(1) (a) of the 1997 Act which provides that, subject to s.69(1)(b) of the Act, where aquaculture in respect of which a licence has been granted has not commenced within 2 years after the date on which the licence was granted, the licence ceases to have effect.

A copy of the Board's technical advisor's report is available on the ALAB website.

Yours sincerely,



Mary O'Hara
Secretary to the Board