



COAKLEY MORIARTY SOLICITORS

Vincent Coakley BCL
Kieran Moriarty LLB

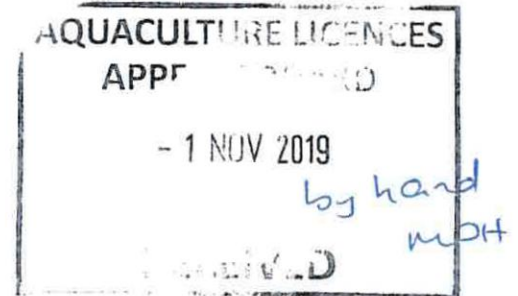
Your Ref:
VC/AS/L02108

1st November, 2019

Our Ref:

Aquaculture Licences Appeals Board,
Kilminchy Court,
Dublin Road,
Portlaoise,
Co. Laois.

Re: *Appellant – Sneem Fisherman's Co-Operative Limited*
Site Reference No. T06/356A



Dear Sirs,

I act on behalf of Sneem Fisherman's Co-Operative Limited and on the instructions of my Client I now enclose herewith the following;

1. Appeals form duly completed, with map attached thereto.
2. A Banker's draft made payable to the Aquaculture Licensing Appeals Board, in the sum of €380.92 in settlement of your fees.

Please acknowledge receipt of the enclosed.

Yours sincerely,

VINCENT COAKLEY

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)		Sneem Fishermen Co-Operative Limited	
Address of Appellant		Tahilla, Sneem County Kerry	
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		€152.37	
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			
Fisheries (Amendment) Act, 1997 (as amended) (the "1997 Act"). Notice of decision to grant Aquaculture Licence (T06/356A) to Sneem Fishermen's Co-operative Society Limited (the "Co-Operative"), as published in the Public Notices in the Kerryman on 2 October 2019.			
Site Reference Number:- (as allocated by the Department of Agriculture, Food and the Marine)		T06/356A	

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

Solely to slightly reduce the boundary of the proposed licence area originally applied for under application reference no. T06/356A.

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):

In 2011 we made a licence application (356A) comprising two sites of approximately 9 hectares each. In 2018 we revised this application to exclude one site and extend the other to 19.32 hectares. Since then we have reached an agreement, in the spirit of good neighbourly relations, to reduce the size of the site applied for in accordance with the **attached** map.

We have lodged this appeal against the decision to grant the licence not to overturn but to simply amend the licensed area boundaries as indicated on the **attached** map wherein the revised area sought to be licenced lies wholly within the area originally sought, but is of a slightly lesser size, therefore requiring no further or other environmental assessment. We trust that you will not have any difficulty in acceding to this request for the licence area to be thus amended.

Signed by appellant:

Paul Ys Cebanman
for and behalf of the Appellant and with
the authority of the Appellant

Date:

31/10/2019

**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.

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.



Site T06/356A as approved by the Minister

Proposed amendment to Site T06/356A



Title: Kenmare Bay, Co. Kerry
Proposed Amendment to Licence Boundary

Project: Aqua Culture Licence T06/356A
Kenmare Bay, Co. Kerry

Scale	1:5000	Date	31/10/2019
Series	PRIME2 5447 series	Drawn by	B.34/02
Scale of map	1:1	Year	19
Scale of aerial photo	1:1	Drawn by	J.P.
EN0005419		Checked by	B.M.C.

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Ballincellig, Cork