

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Mr Michael Gillespie LLB NP Solicitor
Beachside Braade
Kincasslagh
Co Donegal

20 December 2017

Our Ref: AP4/1/2017
Site Ref: T12/438 A & B

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Mr Gary Boyle for the cultivation of Pacific Oysters using bags and trestles on Site T12/438A&B in Gweedore Bay

Dear Mr Gillespie

I refer to my letter 15th March 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 December 2017.

The Board has recently received two further appeals against a decision by the Minister for Agriculture, Food and the Marine to grant a licence on Site T12/461A, in the same bay as the proposed licence under appeal in this case. Copies of the two additional appeals (namely Appeals reference AP6/1-2/2017) are attached for your attention. Pursuant to the provisions of section 44 and/or 45 of the Fisheries (Amendment) Act, 1997, the ALAB Board hereby invite you to make submissions or observations in relation to these Appeals within one month of the date hereof, that is by 22 January 2018, taking into account office closures over the holiday period.

The Board considered the additional appeals at its meeting on 13 December 2017. Having done so the Board has decided to exercise the discretion granted to it pursuant to section 42 of the Fisheries (Amendment) Act 1997, treat two or more appeals as, and the appellants as parties to, a single appeal. Accordingly the two new appeals shall be consolidated with the existing appeals and it is the intention of the board to determine all the appeals together.

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reason specified above. It is the intention of the Board that the Appeal will be determined by 31 May 2018.

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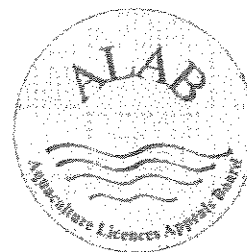
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Yours sincerely



Mary O'Hara
Secretary to the Board

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Aodh Mac Ruairi
Bainisteoir Aislann na Feirste
Coiste Timpeallachta an Ghaoith
Aislann Rann na Feirste
Rann na Feirste
Leitir Ceanainn
Co Dhun na nGall

December 2017

Our Ref: AP4/2/2017
Site Ref: T12/438 A & B

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Mr Gary Boyle for the cultivation of Pacific Oysters using bags and trestles on Site T12/438A&B in Gweedore Bay

Dear Mr Mac Ruairi

I refer to my letter 15th March 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 December 2017.

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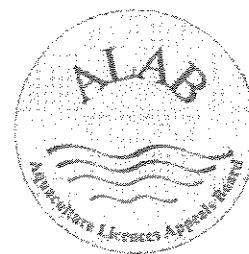
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Mary O'Hara
Secretary to the Board

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Mr Remi Louis
Celtic Kerber Ltd.,
Unit 9E, Northwest Business Park
Collooney
Co Sligo

22 December 2017

Our Ref: AP2/1-3/2017
Site Ref: T12/419 A, B & C

Appellants Carrickfinn Trust Company Ltd by Guarantee & Others,
Anraí O Domhnaill T/A Carrickfin Wild Atlantic
Coiste Timpeallachta an Ghaoith f/c Aislann Rann na Feirste.

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Celtic Kerber Ltd., for the cultivation of Pacific Oysters using bags and trestles on Site T12/419 A, B & C in Braade Strand, Gweedore Bay

Dear Mr Louis,

I refer to my letter of 6 October 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 December 2017.

The Board has recently received two further appeals against a decision by the Minister for Agriculture, Food and the Marine to grant a licence on Site T12/461A, in the same bay as the proposed licence under appeal in this case. Copies of the two additional appeals (namely Appeals reference AP6/1-2/2017) are attached for your attention. Pursuant to the provisions of section 44 and/or 45 of the Fisheries (Amendment) Act, 1997, the ALAB Board hereby invite you to make submissions or observations in relation to these Appeals within one month of the date hereof, that is by 22 January 2018, taking into account office closures over the holiday period.

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Mary O'Hara
Secretary to the Board

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Mr. John Boyle,
Ballymanus,
Kincasslagh,
Co. Donegal

20 December 2017

Our Ref: AP3/1-2/2017
Site Ref: T12/430 A&B

Appellants Carrickfinn Trust Company Ltd by Guarantee & Others,
Coiste Timpeallachta an Ghaoith f/c Aislann Rann na Feirste.

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to John Boyle for the cultivation of Pacific Oysters using bags and trestles on Site T12/430 A&B in Braade Strand, Gweedore Bay

Dear Mr. Boyle,

I refer to my letter of 6 October 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 December 2017.

The Board has recently received two further appeals against a decision by the Minister for Agriculture, Food and the Marine to grant a licence on Site T12/461A, in the same bay as the proposed licence under appeal in this case. Copies of the two additional appeals (namely Appeals reference AP6/1-2/2017) are attached for your attention. Pursuant to the provisions of section 44 and/or 45 of the Fisheries (Amendment) Act, 1997, the ALAB Board hereby invite you to make submissions or observations in relation to these Appeals within one month of the date hereof, that is by 22 January 2018, taking into account office closures over the holiday period.

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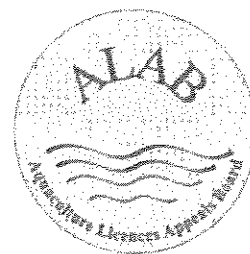
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**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Mr. Gary Boyle,
Ballymanus,
Kincasslagh,
Co. Donegal.

20 December 2017

Our Ref: AP4/1-2/2017
Site Ref: T12/438 A&B

Appellants Carrickfinn Trust Company Ltd by Guarantee & Others,
Coiste Timpeallachta an Ghaoith f/c Aislann Rann na Feirste.

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and foreshore Licence to Gary Boyle for the cultivation of Pacific Oysters using bags and trestles on Site T12/438 A&B in Braade Strand, Gweedore Bay

Dear Mr. Boyle,

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The Board has recently received two further appeals against a decision by the Minister for Agriculture, Food and the Marine to grant a licence on Site T12/461A, in the same bay as the proposed licence under appeal in this case. Copies of the two additional appeals (namely Appeals reference AP6/1-2/2017) are attached for your attention. Pursuant to the provisions of section 44 and/or 45 of the Fisheries (Amendment) Act, 1997, the ALAB Board hereby invite you to make submissions or observations in relation to these Appeals within one month of the date hereof, that is by 22 January 2018, taking into account office closures over the holiday period.

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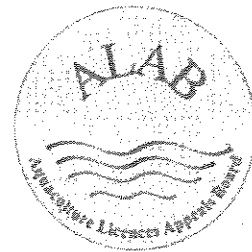
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Secretary to the Board

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Mr Michael Creed TD
Minister for Agriculture, Food and the Marine
Agriculture House
Kildare Street
Dublin 2

2 December 2017

Our Ref: AP1-4/2017
Site Ref: T12/410 A&B, T12/419 A, B & C, T12/430 A & B and T12/438 A & B

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Thierry Gillardeau & Desmond Moore, Celtic Kerber Ltd, Mr John Boyle and Mr Gary Boyle for the cultivation of Pacific Oysters using bags and trestles in Gweedore Bay.

Dear Minister

I refer to my letter 15th March 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 December 2017.

The Board has recently received two further appeals against a decision by the Minister for Agriculture, Food and the Marine to grant a licence on Site T12/461A, in the same bay as the proposed licence under appeal in this case. Copies of the two additional appeals (namely Appeals reference AP6/1-2/2017) are attached for your attention. Pursuant to the provisions of section 44 and/or 45 of the Fisheries (Amendment) Act, 1997, the ALAB Board hereby invite you to make submissions or observations in relation to these Appeals within one month of the date hereof, that is by 22 January 2018, taking into account office closures over the holiday period.

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Mary O'Hara
Secretary to the Board

c.c. Mr John Quinlan

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Mr Noel Carr, Secretary
Federation of Irish Salmon & Sea Trout Anglers
Teelin Road
Carrick
Co. Donegal

20 December 2017

Our Ref: AP2/14/2015
Site Ref: T05/555

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant Aquaculture and Foreshore Licences to Bradán Fanad Teo t/a Marine Harvest Ireland, Kindrum, Fanad, Letterkenny, Co. Donegal on site Ref: T05/555 for the cultivation of Atlantic Salmon; *Salmo Salar* on a site on the foreshore at Shot Head, Bantry Bay, Co Cork

Dear Mr. Carr,

I refer to my letter 11th October 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 January 2018.

Since that time the Report of the Oral Hearing has been delivered to the Board. The Report is now posted on the ALAB website and is available by following this link:

<http://www.alab.ie/boarddeterminations/2015/scheduleofdocuments/>

The Oral Hearing Report includes a number of recommendations in terms of additional information which should be sought by the Board before it makes a determination and the Board is now proceeding to seek that additional information.

The additional information being sought is as follows:

- A Supplemental Environmental Impact Statement from Marine Harvest Ireland addressing the risk of sea-lice infestation of wild salmonids migrating from/to the Dromagowlane and Trafask Rivers, and any resulting implications for local freshwater pearl mussel populations, based on available research and data, and an assessment of the potential impact of salmon farm waste on water quality, having particular regard to the maintenance of 'good water status' as required under the Water Framework Directive;
- An assessment of the otter population of the Dromagowlane and Trafask catchments, and (if necessary) assessment of potential impacts on otters, including the potential impact of declining wild salmon stocks;
- An assessment of the potential impact upon the common seal populations in the Glengarriff Harbour and Woodland SAC; and

Cúirt Choill Mhínsí, Bóthar Bhaile Átha Cliath, Port Laoise, Contae Laoise, R32 DTW5
Kilminchy Court, Dublin Road, Portlaoise, County Laois, R32 DTW5

- As assessment of the potential impact upon wild birds within nearby Special Protected Areas.

Arising from the receipt of the report of the Oral Hearing, the ALAB Board reviewed again the timescale for determination of this appeal at its meeting on 13 December 2017, and has formed the view it will not be in position to determine this Appeal by 31 January 2018 as it is required to seek and then consider the assessments referred to above.

Accordingly the Board hereby gives notice, as provided for in Section 56(3) of the Fisheries (Amendment) Act 1997, that it is the intention of the Board that the Appeal will be determined by it as soon as practicable and by no later than 31 October 2018.

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Yours sincerely,



Mary O'Hara
Secretary to the Board

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Mr. Michael Creed. T.D.
Minister for Agriculture, Food & The Marine,
Agricultural House,
Kildare Street,
Dublin 2.

20 December 2017

Our Ref: AP2/1-14/2015
Site Ref: T05/555

Re: Appeal against the decision by the Minister for Agriculture, Food and the Marine to grant Aquaculture and Foreshore Licences to Bradán Fanad Teo t/a Marine Harvest Ireland, Kindrum, Fanad, Letterkenny, Co. Donegal on site Ref: T05/555 for the cultivation of Atlantic Salmon; *Salmo Salar* on a site on the foreshore at Shot Head, Bantry Bay, Co Cork

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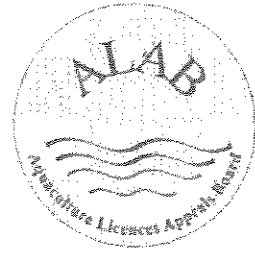
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Secretary to the Board

c.c. Mr. John Quinlan, DAFM, Clonakilty, Co. Cork.

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Aquaculture Licences Appeals Board**



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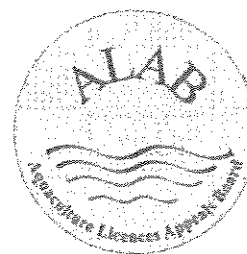
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An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board



Mr Michael Gillespie LLB NP Solicitor
Beachside Braade
Kincasslagh
Co Donegal

20 December 2017

Our Ref: AP2/1/2017
Site Ref: T12/419 A, B & C

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Celtic Kerber Ltd for the cultivation of Pacific Oysters using bags and trestles on Site T12/419 A,B&C in Braade Strand, Gweedore Bay

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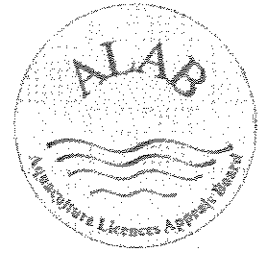
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Aquaculture Licences Appeals Board



Anraí Ó Domhnaill
T/A Carrickfinn Wild Atlantic
Inis Fail
Carrickfinn
Kincasslagh
Co Donegal

20 December 2017

Our Ref: AP2/2/2017
Site Ref: T12/419 A, B & C

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Celtic Kerber Ltd for the cultivation of Pacific Oysters using bags and trestles on Site T12/419 A,B&C in Braade Strand, Gweedore Bay

Dear Mr Ó Domhnaill

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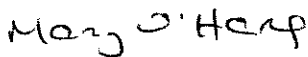
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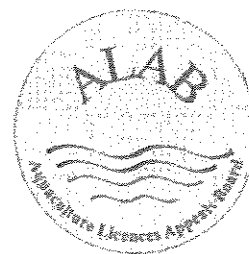
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Yours sincerely



Mary O'Hara
Secretary to the Board

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Aodh Mac Ruairi
Bainisteoir Aislann na Feirste
Coiste Timpeallachta an Ghaoith
Aislann Rann na Feirste
Rann na Feirste
Leitir Ceanainn
Co Dhun na nGall

20 December 2017

Our Ref: AP2/3/2017
Site Ref: T12/419 A, B & C

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Celtic Kerber Ltd for the cultivation of Pacific Oysters using bags and trestles on Site T12/419 A,B&C in Braade Strand, Gweedore Bay

Dear Mr Mac Ruairi

I refer to my letter 15th March 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 December 2017.

The Board has recently received two further appeals against a decision by the Minister for Agriculture, Food and the Marine to grant a licence on Site T12/461A, in the same bay as the proposed licence under appeal in this case. Copies of the two additional appeals (namely Appeals reference AP6/1-2/2017) are attached for your attention. Pursuant to the provisions of section 44 and/or 45 of the Fisheries (Amendment) Act, 1997, the ALAB Board hereby invite you to make submissions or observations in relation to these Appeals within one month of the date hereof, that is by 22 January 2018, taking into account office closures over the holiday period.

The Board considered the additional appeals at its meeting on 13 December 2017. Having done so the Board has decided to exercise the discretion granted to it pursuant to section 42 of the Fisheries (Amendment) Act 1997, treat two or more appeals as, and the appellants as parties to, a single appeal. Accordingly the two new appeals shall be consolidated with the existing appeals and it is the intention of the board to determine all the appeals together.

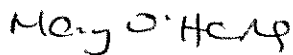
In that context the Board reviewed the timescale for determination of this appeal and has formed the view it will not be in position to determine this Appeal by 31 December 2017, due to the inclusion of the new appeals.

Accordingly the Board hereby gives notice, as provided for in Section 56(3) of the Fisheries (Amendment) Act 1997, that this Appeal will not be determined by 31 December 2017 for the reason specified above. It is the intention of the Board that the Appeal will be determined by 31 May 2018.

The Board has not yet determined whether to accede to the requests for an oral hearing. I shall be in touch with you further once the Board has determined whether or not an oral hearing is required.

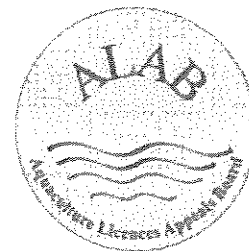
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Yours sincerely



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Secretary to the Board

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Mr Michael Gillespie LLB NP Solicitor
Beachside Braade
Kincasslagh
Co Donegal

20 December 2017

Our Ref: AP3/1/2017
Site Ref: T12/430 A&B

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Mr John Boyle for the cultivation of Pacific Oysters using bags and trestles on Site T12/430 A&B in Braade Strand, Gweedore Bay

Dear Mr Gillespie

I refer to my letter 15th March 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 December 2017.

The Board has recently received two further appeals against a decision by the Minister for Agriculture, Food and the Marine to grant a licence on Site T12/461A, in the same bay as the proposed licence under appeal in this case. Copies of the two additional appeals (namely Appeals reference AP6/1-2/2017) are attached for your attention. Pursuant to the provisions of section 44 and/or 45 of the Fisheries (Amendment) Act, 1997, the ALAB Board hereby invite you to make submissions or observations in relation to these Appeals within one month of the date hereof, that is by 22 January 2018, taking into account office closures over the holiday period.

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Secretary to the Board

An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board



Aodh Mac Ruairi
Bainisteoir Aislann na Feirste
Coiste Timpeallachta an Ghaoith
Aislann Rann na Feirste
Rann na Feirste
Leitir Ceanainn
Co Dhun na nGall

2 December 2017

Our Ref: AP3/2/2017
Site Ref: T12/430 A & B

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Mr John Boyle for the cultivation of Pacific Oysters using bags and trestles on Site T12/430 A&B in Braade Strand, Gweedore Bay

Dear Mr Mac Ruairi

I refer to my letter 15th March 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 December 2017.

The Board has recently received two further appeals against a decision by the Minister for Agriculture, Food and the Marine to grant a licence on Site T12/461A, in the same bay as the proposed licence under appeal in this case. Copies of the two additional appeals (namely Appeals reference AP6/1-2/2017) are attached for your attention. Pursuant to the provisions of section 44 and/or 45 of the Fisheries (Amendment) Act, 1997, the ALAB Board hereby invite you to make submissions or observations in relation to these Appeals within one month of the date hereof, that is by 22 January 2018, taking into account office closures over the holiday period.

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Secretary to the Board

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Aodh Mac Ruairi
Bainisteoir Aislann na Feirste
Coiste Timpeallachta an Ghaoith
Aislann Rann na Feirste
Rann na Feirste
Leitir Ceanainn
Co Dhun na nGall

20 December 2017

Our Ref: AP1/2/2017
Site Ref: T12/410 A&B

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Thierry Gillardeau & Desmond Moore for the cultivation of Pacific Oysters using bags and trestles on Site T12/410 A&B in Braade Strand, Gweedore Bay

Dear Mr Mac Ruairi

I refer to my letter 15th March 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 December 2017.

The Board has recently received two further appeals against a decision by the Minister for Agriculture, Food and the Marine to grant a licence on Site T12/461A, in the same bay as the proposed licence under appeal in this case. Copies of the two additional appeals (namely Appeals reference AP6/1-2/2017) are attached for your attention. Pursuant to the provisions of section 44 and/or 45 of the Fisheries (Amendment) Act, 1997, the ALAB Board hereby invite you to make submissions or observations in relation to these Appeals within one month of the date hereof, that is by 22 January 2018, taking into account office closures over the holiday period.

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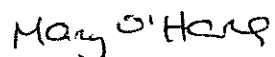
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Yours sincerely



Mary O'Hara
Secretary to the Board

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Mr. Desmond Moore
Ballymagroarty
Ballintra
Co Donegal

2 December 2017

Our Ref: AP1/1-2/2017
Site Ref: T12/410 A&B

Appellants: Carrickfinn Trust Company Ltd by Guarantee & Others, Coiste Timpeallachta an Ghaoith
f/c Aislann Rann na Feirste

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Thierry Gillardeau & Desmond Moore for the cultivation of Pacific Oysters using bags and trestles on Site T12/410 A&B in Braade Strand, Gweedore Bay

Dear Mr Moore

I refer to my letter of 6 October 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 December 2017.

The Board has recently received two further appeals against a decision by the Minister for Agriculture, Food and the Marine to grant a licence on Site T12/461A, in the same bay as the proposed licence under appeal in this case. Copies of the two additional appeals (namely Appeals reference AP6/1-2/2017) are attached for your attention. Pursuant to the provisions of section 44 and/or 45 of the Fisheries (Amendment) Act, 1997, the ALAB Board hereby invite you to make submissions or observations in relation to these Appeals within one month of the date hereof, that is by 22 January 2018, taking into account office closures over the holiday period.

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Yours sincerely



Mary O'Hara
Secretary to the Board

**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board**



Mr. Thierry Gillardeau,
Bourcefranc Le Chapus,
France.

2 December 2017

Our Ref: AP1/1-2/2017
Site Ref: T12/410 A&B

Appellants: Carrickfinn Trust Company Ltd by Guarantee & Others, Coiste Timpeallachta an Ghaoith
f/c Aislann Rann na Feirste

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Thierry Gillardeau & Desmond Moore for the cultivation of Pacific Oysters using bags and trestles on Site T12/410 A&B in Braade Strand, Gweedore Bay

Dear Mr Gillardeau

I refer to my letter of 6 October 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 December 2017.

The Board has recently received two further appeals against a decision by the Minister for Agriculture, Food and the Marine to grant a licence on Site T12/461A, in the same bay as the proposed licence under appeal in this case. Copies of the two additional appeals (namely Appeals reference AP6/1-2/2017) are attached for your attention. Pursuant to the provisions of section 44 and/or 45 of the Fisheries (Amendment) Act, 1997, the ALAB Board hereby invite you to make submissions or observations in relation to these Appeals within one month of the date hereof, that is by 22 January 2018, taking into account office closures over the holiday period.

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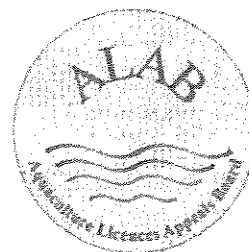
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An Bord Achomharc Um Cheadúnais Dobharshaothraithe
Aquaculture Licences Appeals Board



Mr Michael Gillespie LLB NP Solicitor
Beachside Braade
Kincasslagh
Co Donegal

20 December 2017

Our Ref: AP1/1/2017
Site Ref: T12/410 A&B

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to grant an Aquaculture and Foreshore Licence to Thierry Gillardeau & Desmond Moore for the cultivation of Pacific Oysters using bags and trestles on Site T12/410 A&B in Braade Strand, Gweedore Bay

Dear Mr Gillespie

I refer to my letter 15th March 2017 in which the Board indicated it anticipated this Appeal would be determined by 31 December 2017.

The Board has recently received two further appeals against a decision by the Minister for Agriculture, Food and the Marine to grant a licence on Site T12/461A, in the same bay as the proposed licence under appeal in this case. Copies of the two additional appeals (namely Appeals reference AP6/1-2/2017) are attached for your attention. Pursuant to the provisions of section 44 and/or 45 of the Fisheries (Amendment) Act, 1997, the ALAB Board hereby invite you to make submissions or observations in relation to these Appeals within one month of the date hereof, that is by 22 January 2018, taking into account office closures over the holiday period.

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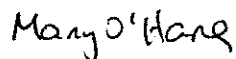
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