



AP7-11/2017

Trawbreaga

Section 46 extension request reply
from ALAB

dated 26 March 2018

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



Mr James Ball

26 March 2017

Our Ref: AP7-11/17
Site Ref: T12/470, T12/426, T12/471, T12/475 and T12/434
Appellants: Michael McLaughlin, James Ball, Marjorie Doherty, Michael & Eunan McLaughlin and Michael Barr

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to refuse an Aquaculture and Foreshore Licences for the cultivation of Pacific Oysters using bags and trestles in Trawbreaga Bay, Co Donegal

Dear Mr Ball

I refer to your letter of 14 March 2018 requesting a 12 week extension to consider the points raised in the Board's Section 46 request dated 5 March 2018. Having considered the matter, the Board has agreed to an extension in this regard.

Accordingly, in accordance with the provisions of section 46(1)(a) of the Act, the ALAB Board **HEREBY REQUIRE** you to make any submissions or observations you have in relation to matters referred to in the Landscape and Visual Assessment Report dated 17 October 2017 (the Report) to it, in particular any submissions or observations in relation to the Report's Findings and Conclusions **by 22 JUNE 2018**.

I include a PDF copy of the 'Guidelines for Landscape and Visual Impact Assessment of Marine Aquaculture' referred to in your letter.

Section 56(2)(a) of the Fisheries (Amendment) Act 1997 requires that the Board endeavour to determine an Appeal within a period of four months beginning on the date of receipt by the Board of the Notice of Appeal. The Aquaculture Licences Appeals Board reviewed this timescale and has formed the view it will not be in position to determine this Appeal by that date, due to the requirement to allow you and other appellants a reasonable time within which to consider the contents of the Report, and thereafter allow the Board further time to consider the matters to be determined as part of the Appeal.

Accordingly the Board hereby gives notice, as provided for in Section 56(3) of the Fisheries (Amendment) Act 1997, that this Appeal shall not be determined by 29 March 2018 for the reasons specified above. It is the intention of the Board that the Appeal will be determined by 28th September 2018.

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

Guthán/Telephone: 057 8631912 R-phost/Email: info@alab.ie Láithreán Gréasáin/Website: www.alab.ie

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.

This notice is being copied to all parties to the Appeal.

Yours sincerely

Mary O'Hara

Mary O'Hara
Secretary to the Board

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



Messrs Michael and Eunan McLaughlin

26 March 2017

Our Ref: AP7-11/17
Site Ref: T12/470, T12/426, T12/471, T12/475 and T12/434
Appellants: Michael McLaughlin, James Ball, Marjorie Doherty, Michael & Eunan McLaughlin and Michael Barr

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to refuse an Aquaculture and Foreshore Licences for the cultivation of Pacific Oysters using bags and trestles in Trawbreaga Bay, Co Donegal

Dear Messrs McLaughlin

I refer to your letter of 14 March 2018 requesting a 12 week extension to consider the points raised in the Board's Section 46 request dated 5 March 2018. Having considered the matter, the Board has agreed to an extension in this regard.

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**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
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Mr Michael McLaughlin

26 March 2017

Our Ref: AP7-11/17
Site Ref: T12/470, T12/426, T12/471, T12/475 and T12/434
Appellants: Michael McLaughlin, James Ball, Marjorie Doherty, Michael & Eunan McLaughlin and Michael Barr

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to refuse an Aquaculture and Foreshore Licences for the cultivation of Pacific Oysters using bags and trestles in Trawbreaga Bay, Co Donegal

Dear Mr McLaughlin

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**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
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Ms Marjorie Doherty

26 March 2017

Our Ref: AP7-11/17
Site Ref: T12/470, T12/426, T12/471, T12/475 and T12/434
Appellants: Michael McLaughlin, James Ball, Marjorie Doherty, Michael & Eunan McLaughlin and Michael Barr

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to refuse an Aquaculture and Foreshore Licences for the cultivation of Pacific Oysters using bags and trestles in Trawbreaga Bay, Co Donegal

Dear Ms Doherty

I refer to your letter of 14 March 2018 requesting a 12 week extension to consider the points raised in the Board's Section 46 request dated 5 March 2018. Having considered the matter, the Board has agreed to an extension in this regard.

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**An Bord Achomharc Um Cheadúnais Dobharshaothraithe
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Mr Michael Barr

26 March 2017

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Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to refuse an Aquaculture and Foreshore Licences for the cultivation of Pacific Oysters using bags and trestles in Trawbrea Bay, Co Donegal

Dear Mr Barr

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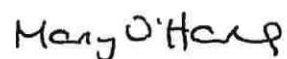
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Mary O'Hara
Secretary to the Board

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



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

26 March 2018

Our Ref: AP7-11/17
Site Ref: T12/470, T12/426, T12/471, T12/475 and T12/434
Appellants: Michael McLaughlin, James Ball, Marjorie Doherty, Michael & Eunan McLaughlin and Michael Barr

Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to refuse an Aquaculture and Foreshore Licences for the cultivation of Pacific Oysters using bags and trestles in Trawbreaga Bay, Co Donegal

Dear Minister

I refer to the appeals received in relation to the above licence refusals.

Section 56(2)(a) of the Fisheries (Amendment) Act 1997 requires that the Board endeavour to determine an Appeal within a period of four months beginning on the date of receipt by the Board of the Notice of Appeal. The Aquaculture Licences Appeals Board reviewed this timescale and has formed the view it will not be in position to determine this Appeal by that date, due to the requirement to allow appellants a reasonable time within which to consider and respond to the contents of the Landscape and Visual Assessment Report dated 17 October 2017, and thereafter allow the Board further time to consider the matters to be determined as part of the Appeal.

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cc Mr John Quinlan, Aquaculture and Foreshore Management Division

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