

Date 6th July 2018

sent by registered post



Department of
**Agriculture,
Food and the Marine**

An Roinn
**Talmhaíochta,
Bia agus Mara**

Ref: T03/88

COPY

**Fitzpatrick Oysters Ltd.
Tallaught
Saltmills
New Ross
Co. Wexford**

**FISHERIES (AMENDMENT) ACT, 1997 (NO.23)
NOTICE OF MINISTERIAL DECISION TO REFUSE TO GRANT AN
AQUACULTURE LICENCE AND FORESHORE LICENCE.**

Dear Secretary,

I would like to inform you that the Minister For Agriculture, Food and the Marine has refused your application for Aquaculture Licences and Foreshore Licences, for the cultivation of oysters using bags and trestles on site nos. T03/88A, B & C (see attached information note). I enclose a copy of the public notice of the decision which the **Department** has arranged to have published in "Wexford People".

Any person aggrieved by the decision may, in accordance with Section 41 of the Fisheries (Amendment) Act 1997, appeal against it in writing to the Aquaculture Licences Appeals Board. This appeal must be lodged within one month beginning on the date of the publication of the decision.

In addition, a person may question the validity of the Foreshore Licence determination by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at:

<http://www.citizensinformation.ie/>

Yours sincerely

Aquaculture and Foreshore Management Division

**S.12 (3) OF THE FISHERIES (AMENDMENT) ACT, 1997(NO.23)
INFORMATION NOTE TO APPLICANT FOR THE PURPOSE OF REGULATION 18
OF THE AQUACULTURE (LICENCE APPLICATION) REGULATIONS 1998**

REFERENCE NO: T03/88

APPLICANT: **Fitzpatrick Oysters Ltd.
Tallaught
Saltmills
New Ross
Co. Wexford**

**AQUACULTURE TO WHICH
DECISION RELATES:**

Cultivation of oysters using bags and trestles on site T03/88A, B & C on the foreshore in Bannow Bay, Co Wexford.

NATURE OF DECISION: Refusal of Licence.

DATE OF DECISION: 29th June 2018

REASON FOR REFUSAL:

The findings of the Appropriate Assessment of aquaculture in the Bannow Bay Natura sites were examined by the Department and its scientific/technical advisors. It was concluded that it is not possible to licence any new aquaculture activity, such as this application, in the Bannow Bay Natura sites as there are no clear mitigation measures available to prevent the risk of deterioration of the conservation status of protected shorebirds. Thus, the licensing of aquaculture activity at these sites would have an adverse effect on the integrity on "Bannow Bay SPA".

To be inserted in Wexford People

FISHERIES (AMENDMENT) ACT, 1997 (NO. 23) FORESHORE ACT, 1933 (NO. 12) NOTICE OF REFUSAL TO GRANT AQUACULTURE AND FORESHORE LICENCES.

The Minister for Agriculture, Food and the Marine has refused to grant Aquaculture and Foreshore Licences to those applicants listed in the table hereunder, for the cultivation of Oysters using bags and trestles on sites on the foreshore in Bannow Bay, Co. Wexford.

Reference No.	Applicant's Name and Address
T03/86A, B & C	S. B. S. Ltd, Danescastle, Carrig- on - Bannow, Co Wexford
T03/87A	Hook Head Shellfish Ltd., Ramstown, Fethard - on -Sea, New Ross, Co. Wexford
T03/88A, B & C	Fitzpatrick Oysters Ltd., Tallaught, Saltmills, New Ross, Co. Wexford
T03/97A	Tomás Ffrench, Danescastle, Carrig - on - Bannow, Co. Wexford
T03/98A	Tomás Ffrench, Danescastle, Carrig - on - Bannow, Co. Wexford

The reasons for this decision are elaborated on the Department's website at www.agriculture.gov.ie/seafood/aquaculturelicensing

An appeal against the Aquaculture Licence decision may be made in writing, within one month of the date of its publication, to THE AQUACULTURE LICENCES APPEALS BOARD, Kilminchy Court, Portlaoise, Co. Laois, by completing the Notice of Appeal Application Form available from the Board, phone 057 86 31912, e-mail info@alab.ie or website at <http://www.alab.ie/>

A person may question the validity of the Foreshore Licence determination by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at: <http://www.citizensinformation.ie/>

To be inserted in Iris Oifigiuil

FORESHORE ACT, 1933 NOTICE OF DECISION TO REFUSE TO GRANT FORESHORE LICENCES

The Minister for Agriculture, Food and the Marine has decided to refuse to grant Foreshore Licences to those applicants listed in the table hereunder, to carry out Aquaculture on various sites on the foreshore in Bannow Bay, Co. Wexford.

Reference No.	Applicant's Name and Address
T03/86A, B & C	S. B. S. Ltd, Danescastle, Carrig- on - Bannow, Co Wexford
T03/87A	Hook Head Shellfish Ltd., Ramstown, Fethard - on -Sea, New Ross, Co. Wexford
T03/88A, B & C	Fitzpatrick Oysters Ltd., Tallaught, Saltmills, New Ross, Co. Wexford
T03/97A	Tomás Ffrench, Danescastle, Carrig - on - Bannow, Co. Wexford
T03/98A	Tomás Ffrench, Danescastle, Carrig - on - Bannow, Co. Wexford

The reasons for these decisions are elaborated on the Department's website at <https://www.agriculture.gov.ie/seafood/aquacultureforeshoremanagement/aquaculturelicensing/aquaculturelicencedecisions/wexford/>

A person may question the validity of the Foreshore Licence determination by way of an application for judicial review, under Order 84 of the Rules of the Superior Court (SI No. 15 of 1986). Practical information on the review mechanism can be obtained from the Citizens Information Board at: <http://www.citizensinformation.ie/>

The documentation upon which the Minister determined the application may be inspected free of charge at the Department's Offices in Clonakilty, Co. Cork, by contacting the Aquaculture & Foreshore Management Division on 023 8859500.