



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)	BANTRY Inshore Fishermen		
Address of Appellant	Dunmore		
	AHADUSTA, DUNRUS, BANTRY, Co Cork		
	TRAFRASK WEST, ADRIGOLE, BEARA, Co. Cork		
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	<input checked="" type="checkbox"/>
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

West Cork Seafoods Ltd, Glanbough along the South Shore
of Bantry Bay.
Mussels using longlines.

DELIVERED SinU Klach / Sig Req RL 76408511 3IE



AQUACULTURE LICENCES
APPEALS BOARD

26 NOV 2019

Site Reference Number:- (as allocated by the Department of Agriculture, Food and the Marine)	T05/430A
Appellant's particular interest in the outcome of the appeal:	
<p>We the Inshore fishermen of Bantry Bay want to see this decision to be reversed. We want to see the granting of the licences T05/430A reversed and not granted. This is important to our fish This licence application needs to be refused.</p>	
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):	
<p>1/ we feel the Department, officials and minister did not carry out <u>Proper Consultation</u> with us the fishermen of Bantry Bay. We are working this ground and is an extremely important area for our fisheries. We fish Scallops, Shrimp, Crab and lobsters in this area and we are extremely concerned about the negative effects it will have on these fisheries.</p> <p>2/ We want a guarantee that by granting this licence you can guarantee us that the farm will not have a negative affect on the scallop, shrimp, crab fisheries. → please turn to additional paper →</p>	
Signed by appellant: <u>Denis O'Keefe</u> CHAIRMAN	Date: <u>23/11/2019</u> TREASURER
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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.

DATA PROTECTION – the data collected for this purpose will be held by ALAB only as long as there is a business need to do so and may include publication on the ALAB website

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to investigate the effects of Storm Surges. Glanbough along the South Shore of Bantry Bay where this site is proposed to be situated is a very open exposed area and we feel that with storm surges lines will break and will not be held in position. Resulting in broken lines swaying causing hazardous navigation and risking damaging and getting tangled in our fishing gear. Can it be guaranteed that storm surges will not affect the lines - we feel ~~we~~ you can't give that guarantee

4/ Herring Spawning grounds

A very important factor which we feel wasn't taken into consideration was the impact the mussel farm will have on a natural spawning ground at Glanbough where the proposed site is. Herring are an extremely important fishery around Ireland and it is a commonly known fact that the Herring stocks are at present trying to be protected and sustained. At the site where the mussel farm is proposed is a natural herring spawning ground and has been an area where herring have been fished and sustained. We feel that not proper ~~research~~ research or consideration was given to the impacts the farm will have to the natural herring spawning ground. We feel that it will be hugely negatively affected. We ~~pose~~ pose the question Can the minister who signed off and granted this licence guarantee us the fishermen that the natural herring spawning ground at the location of the proposed mussel farm will not be affected by the mussel farm. Can you guarantee 100% that there won't be any negative effects - we feel not.

5/ The Explosion of Starfish

In our objection to the licence application we noted that Starfish will pose a huge problem if the Mussel farm is granted. We feel that not proper Consultation or research into the effects of Starfish on the Shellfish Industry, Commercial fishing Industry in Banting Bay was given, we feel that it wasn't taken seriously by the department or Minister. We work these grounds on a daily basis and know that Starfish cause huge problems in that they totally take over ground where mussel farms are. Resulting in negative effects for Shrimp, Scallop and Crab fisheries, what are you going to do about the explosion of Starfish, Can you guarantee that Starfish will not increase and take over the sea bed. We know that you can't. Starfish prevent fishermen from fishing the area where the fish ~~used~~ are

Please Turn over →

in discussion, we have outlined the reasons for our appeal to the granting of a mussel farm to West Cork Seafoods Ltd for the Cultivation of Mussels using longlines at Glanbough along the South Shore of Bantry Bay Ref: TOS/430A

The five reasons for our appeal

- 1/ No proper Consultation with the local fishermen
- 2/ Negative effects
- 3/ Storm Surges
- 4/ Herring Spawning grounds
- 5/ The Explosion of Starfish.

We feel that not proper Consultation or research, or Consideration was taken into the decision of this licence application.

Each of the points outlined above are extremely important to the Inshore fishermen of Bantry Bay. We need a guarantee that the mussel farm will not have a negative effect on the fishing grounds and the fishing industry of Bantry Bay. We feel that you can't give the guarantee ~~can't be given~~ and in this case the decision to grant the licence will have to be turned over and the licence needs to be returned.

Storm Surges, Herring Spawning grounds and Starfish are all very important ~~issues~~ issues which we feel weren't properly considered and will ~~be~~ cause huge negative ~~impact~~ impact if the licence is granted.

We need 100% guarantee that all these points will ~~be~~ not be affected by the mussel farm and we feel that the guarantee cannot be given so we are appealing to have the licence Refused.

We look forward to hearing from you soon.

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.