



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)	DENIS O'SHEA	
Address of Appellant	TRAFRASK WEST, ADRIGOL, BEAFA Co GR	
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		
<p>Wild Atlantic Sea Products Ltd Mehal Head adjacent to Leahill Jetty along the north shore of Barty Bay Seaweed using longlines.</p>		
<div style="border: 2px solid black; padding: 10px; width: fit-content; margin: 0 auto;"> <p>AQUACULTURE LICENCES APPEALS BOARD</p> <p>26 NOV 2019</p> <p>RECEIVED</p> </div>		

Please forward completed form to: Aquaculture Licences Appeals Board, Kilminchy Court, Dublin Road, Portlaoise, Co. Laois. Tel: (057) 8631912 Email: info@alab.ie



Site Reference Number:- (as allocated by the Department of Agriculture, Food and the Marine)	T05/612A
Appellant's particular interest in the outcome of the appeal:	
<p>I fish the ground of the Proposed site and want the decision to grant the licence to be overturned and Refused because of the reasons outlined below. Unless a guarantee can be given before and an assurance to the issues outlined below.</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>We fish this area for Shrimp during the winter months and lobsters in the summer and while in our objection we outlined that we were not against the overall application but we were to the size of the application.</p> <p>We notice that the licence was granted with variation. We have received no proper consultation. We don't know what the variations are.</p> <p>Please turn to additional page →</p>	
Signed by appellant: <u>Denis O'Meara</u>	Date: <u>24/11/2019</u>
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.

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

Please forward completed form to: Aquaculture Licences Appeals Board, Kilminchy Court, Dublin Road, Portlaoise, Co. Laois. Tel: (057) 8631912 Email: info@alab.ie

We are concerned that not enough information was made public to us and other boats working the area at present. We don't know how many lines are going to be going on the site, how far apart they will be and how long they will be, because of the vagueness of the granting of the licence "with variation".

We fish this ground a lot during the year and this area makes up a big part of our annual catch. We are concerned that the licence will pose a significant threat to our shrimp fishery by reducing our ground and preventing us access to the ground.

Factors which we feel weren't taken into consideration are the impacts of the loss of fishing grounds to local fishing boats working the ground at present.

Storm Surges. - We feel not proper thought or investigation was given into the impacts storms and storm surges will have on the site. The area where the licence is granted for is a very open exposed area. In a storm we feel the lines risk breaking and we fear they will get tangled in our fishing gear. What are we supposed to do then.

We need proper consultation, which we feel we weren't given we are working the area at the moment. We need a guarantee that the site will not impact us and other fishermen in the area and we feel that we can't get this guarantee.

Granting and giving the go ahead. Proper Consultation
Needs to ~~be~~ ~~taken~~ given to the men working the area
already as well. It needs to be taken into account
that Industry and work are already existing at this Site
location by the local Inshore fishing fleet
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.