

## 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

3 June 2020 – by email and registered post

Our Ref: AP19/2019, AP20/2019 AP21/2019 and AP22/2019  
Site Ref: T06/201 ; T06/326A; T06/295A and T06/179B

**Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to Refuse to grant Licences to:**

- (1) Rosemary Purcell for the cultivation of oysters using bags and trestles on the intertidal foreshore on Site Ref: T06/201 within Dunkerron Harbour, Upper Kenmare Bay, Co. Kerry;**
- (2) BioAtlantis Aquamarine Ltd for the cultivation of mussels using longlines on the subtidal foreshore on Site Ref: T06/326A at Illauneagh Island, Sneem, Kenmmare Bay, Co Kerry;**
- (3) Templenoe Oysters Ltd. to cultivate oysters using bags and trestles on the inter-tidal foreshore on site ref: T06/295A within Dunkerron Harbour, Upper Kenmare Bay, Co Kerry and**
- (4) Kush Seafarms Ltd to cultivate oysters using bags and trestles on the inter-tidal foreshore on site ref: T06/179B within Dunkerron Harbour, Upper Kenmare Bay, Co Kerry**

Dear Minister

I refer to letter of 7 February 2020 in which the Aquaculture Licences Appeals Board (**the Board**) notified you that it had decided to exercise the discretion granted to it pursuant to section 42 of the Fisheries (Amendment) Act 1997 (**the Act**), to treat two or more appeals as, and the appellants as parties to, a single appeal. As a consequence, the Board had decided to treat the appeals under references AP19/2019, AP20/2019 AP21/2019 and AP22/2019 as a single appeal.

The Board has considered the consolidated appeals further and having done so, has now formed the view that it is now more appropriate to separate appeal AP20/2019 from appeals AP19/2019, AP21/2019 and AP22/2019.

Accordingly, on behalf of the Board, you are hereby notified that pursuant to section 42(1) of the Act, the Board has exercised its discretion to separate appeal AP20/2019 from appeals AP19, 21 & 22/2019.

For the avoidance of doubt, appeals AP19, 21 & 22/2019 remain consolidated and shall be considered as a single appeal in accordance with section 42 of the Act.

Yours sincerely



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Mary O'Hara  
Secretary to the Board

Cc John Quinlan, Aquaculture and Foreshore Management Division