

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



Francis Gallagher,  
Derryness,  
Ardara,  
Co. Donegal.

13 February 2020

Our Ref: AP25/2019  
Site Ref: T12/405A

**Re: Appeal against the decision of the Minister for Agriculture, Food and the Marine to refuse to grant a Licence to Francis Gallagher for the cultivation of pacific oysters using bags and trestles on site T12/405A at Loughros Mór Bay, Co Donegal**

Dear Mr Gallagher,

I refer to the above Appeal which was received in this office on 18<sup>th</sup> November 2019

Pursuant to Section 42 (1) of the Fisheries (Amendment) Act, 1997, ("the Act"), the Board may, in its discretion, treat two or more appeals as, and the appellants, as parties to a single appeal. The Board has decided at this time, to exercise that discretion and to consider all four appeals as a single appeal, as they relate to the same harbour. Please note that the Board, in its discretion, may at any time separate such appeals. In that event you will be notified accordingly.

In accordance with the requirements of Section 44(1) of the Act, copies of each of the other appeals received by the Board are attached. Section 44(2) of the Act entitles the Minister and each other party, except the Appellant, to make submissions or observations in writing to the Board in relation to the appeal within a period of 30 days beginning on the day on which a copy of the Notice of Appeal is sent to that party by the Board. If you wish to make any submissions or observations in relation to this other appeal, these must be made in writing and received by the Board on or before **16<sup>th</sup> March 2020**, being the period of 30 days from the date of this letter. Submissions or observations received by the Board after that date shall not be considered by it.

Please note particularly that you are not entitled to elaborate in writing on, or make further submissions in writing in relation to the grounds of appeal stated in your notice of appeal or to submit further grounds of appeal, and any such elaboration, submissions or further grounds of appeal received by the Board shall not be considered by it. This is provided for in Section 41(3) of the Act.

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.

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

Yours sincerely

Mary O'Hara  
Mary O'Hara  
Secretary to the Board