

An Roinn Talmhaíochta,  
Bia agus Mara  
Department of Agriculture,  
Food and the Marine



Ref: T12/541

Cathal McCorkell  
Cuan Na Mara  
Carrowtrasna  
Greencastle  
Co. Donegal

**FISHERIES (AMENDMENT) ACT, 1997 (NO.23)  
NOTICE OF MINISTERIAL DECISION TO REFUSE/GRANT WITH A VARIATION  
AQUACULTURE LICENCES AND FORESHORE LICENCES.**

Dear McCorkell,

I would like to inform you of the Minister for Agriculture, Food and the Marine Decision on the following aquaculture and accompanying Foreshore Licence applications (see attached information notes and draft aquaculture licences):-

Site Reference Number	Ministerial Decision	Species & Method	Variation	Licence Term
T12/541A	Refuse to Grant Licence	Pacific Oysters using bags and trestles	-	-
[Redacted]				

I enclose an extract from the public notice of the decision which the Department has arranged to have published in "Donegal Democrat".

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/>

The Licences will be issued to you as soon as possible after the end of the period of one month from the date of publication of the notice in "Donegal Democrat", if there is no appeal.

Please also find enclosed the conditions that will apply to any Aquaculture Licence that may be issued by the Minister.

Yours sincerely

**Aquaculture and Foreshore Management Division  
05<sup>th</sup> December 2019**

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**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:** T12/541

**APPLICANT:** Cathal McCorkell

**AQUACULTURE TO WHICH  
DECISION RELATES:** Cultivation of Pacific Oysters using bags and  
trestles on site T12/541A on the foreshore in  
Trawbreaga Bay, Co. Donegal.

**NATURE OF DECISION:** Refusal of Licence.

**DATE OF DECISION:** 29th November 2019

**REASON FOR REFUSAL:**

- Development of this site would have negative impacts on the operations of existing oyster farms causing reduced growth and having a hydrodynamic impact with a potential for sedimentation pattern change, and rerouting of currents in the area.
- The site would have negative impact on the passage of migratory fish passage and boats in the low water channel.
- The application is excessive in size of respect of past licensing policy and licensing of the site would not be in accordance with orderly development policy in the bay.

**S.12 (3) OF THE FISHERIES (AMENDMENT) ACT, 1997(NO.23)  
INFORMATION NOTE TO APPLICANT FOR THE PURPOSE OF REGULATION 18  
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**REFERENCE NO:**

**APPLICANT:**

**AQUACULTURE TO WHICH  
DECISION RELATES:**

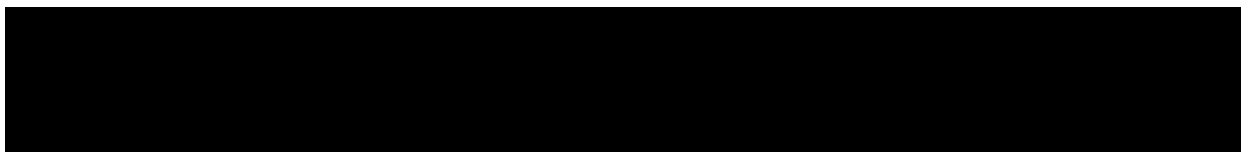
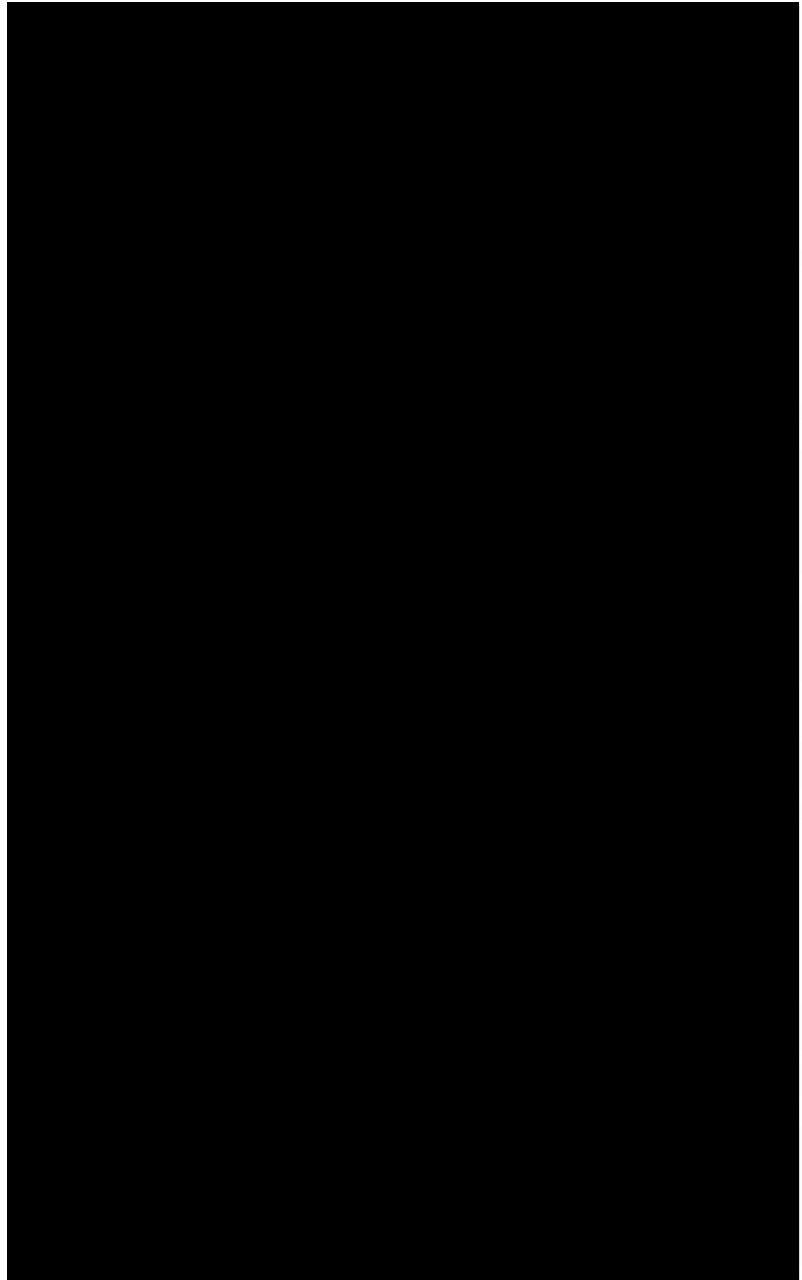
**NATURE OF DECISION:**

**DATE OF DECISION:**

**CONDITIONS OF LICENCE:**

**DURATION OF LICENCE:**

**ISSUE OF LICENCE:**



**FISHERIES (AMENDMENT) ACT, 1997 (NO. 23) FORESHORE ACT, 1933 (NO. 12)  
NOTICE OF DECISIONS IN RELATION TO AQUACULTURE AND FORESHORE  
LICENCES**

The Minister for Agriculture, Food and the Marine has made determinations on the Aquaculture and Foreshore Licence applications as set out in the table below in Trawbreaga Bay, Co. Donegal:-

Site Reference Number	Name	Species & Method	Decision
T12/541A	Cathal McCorkell Cuan Na Mara Carrowtrasna Greencastle Co. Donegal	Pacific Oysters using bags and trestles	Refuse to Grant Licence

The reasons for this decision are elaborated on the Department's website at:

<http://www.agriculture.gov.ie/seafood/aquacultureforeshoremanagement/aquaculturelicensing/aquaculturelicencedecisions/donegal>

An appeal against an 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](mailto: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/>