



Our ref: FAC195/2018 CN80495
192/2018

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

29th January 2020

Subject: Appeal in relation to forest road licence CN80495 Ballymacward, Co. Galway

Dear [REDACTED]

I refer to the appeal to the Forestry Appeals Committee (FAC) against the decision by the Department of Agriculture, Food and Marine on licence CN80495. The FAC established in accordance with Section 14 A (1) of the Agriculture Appeals Act 2001 has now completed an examination of the facts and evidence provided by the parties to the appeal.

Background

Forest road licence CN80495 at Ballymacward, Co. Galway was granted by the Department of Agriculture, Food and Marine on 15/11/2018.

Hearing

A hearing of appeal 195/2019 was conducted by the FAC on ^{21st January 2020} ~~18th December 2019~~ at the Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois.

In Attendance at Hearing:

FAC Members: Mr. Des Johnson (Chairperson), Mr. Pat Coman, Mr. James Conway & Mr. Vincent Upton

Appellant: Not present

An Coiste um Achomhairc
Foraoiseachta
Forestry Appeals Committee

Kilminchy Court,
Portlaoise,
Co Laois
R32 DWT5

Eon/Telephone 076 106 4418
057 863 1900



Applicant: Not present
Applicant's Representative: [REDACTED]
Department Representatives: Mr. Donal Keegan, Mr. Colin Gallagher
Secretary to the FAC: Ms. Ruth Kinehan

Decision

Having considered all of the information submitted with the application, the processing of the application by the DAFM, the written grounds of appeal, and information provided at the Oral Hearing, the Forestry Appeals Committee (FAC) decided to confirm the Licence in this case. The Committee noted, in particular, the indenture submitted to the DAFM on 1st June 2018 and letter dated 15 October 2018 signed on behalf of Pavlos Ltd, a copy of which was submitted at the Oral Hearing and is provided in this letter as a courtesy.

While the FAC considered that the grounds of appeal raised issues of a legal nature in respect of an access road outside the site to which the Licence relates, and that determination in respect of these issues is beyond the remit of the Committee, the FAC concluded that the subject road would provide a suitable access and connection to the forestry road intended to service the adjoining forestry. The FAC concluded that the proposal is consistent with Government policy and Good Forestry practice and would not be detrimental to the amenities of the area.

Before making its decision, the FAC considered all of the information submitted with the application, the processing of the application by the DAFM, the grounds of appeal and submissions and observations received, including information provided at the Oral Hearing.

Note: the granting of this licence should not be interpreted as meeting any requirement to obtain planning permission under planning legislation in circumstances where the provisions of that legislation require permission to be obtained. If you are in any doubt as to whether or not planning permission is required, it is recommended that you contact the relevant planning authority for clarification.

Yours sincerely

Des Johnson, On behalf of the Forestry Appeals Committee