



11 June 2021

R0644 PAC33

Mr. Sam Keenan
Committee Secretariat
Committee of Public Accounts
Leinster House
Dublin2

Ref: S000335 PAC33

Dear Mr Keenan,

I refer to your letter of 30th April 2021 requesting further information on a number of issues following my appearance at the PAC on 20th April. Further to my initial reply of the 17th May, please find my supplementary response as follows:

5. A note on lands offered by the Department to the Land Development Agency (LDA) when all Government Departments were required to offer suitable land to the LDA.

The original response to the Committee indicated that non-agricultural lands were not offered to the Land Development Agency. In fact, prior to the establishment of the Land Development Agency on an interim basis, DAFM engaged with its officials in the first instance through the Department of the Taoiseach in 2018.

Following an initial meeting, DAFM committed to engaging with the LDA and reverted with a list of property vested in the Minister for Agriculture, Food and the Marine, including former Land Commission lands. A comprehensive list of the lands held by the Department and Teagasc was provided to the LDA for consideration and a copy of this list is provided for the information of the Committee.

In addition to the properties on this list, six State-owned Fishery Harbour Centres are managed and operated by the Department under Statute. These centres at Killybegs, Ros an Mhíl, Dingle, Castletownbere, Dunmore East and Howth include a portfolio of 215 properties, the income from which supports the running of the Harbours. With two exceptions these properties are not residential. The Harbour Master Houses in Ros an Mhíl and Killybegs are currently vacant and not in a habitable condition. The Department is preparing to make both properties available for disposal.

In addition, the Department provided information to the LDA relating to the property portfolio of the commercial and non-commercial state bodies (of which there are twelve) under its aegis, as summarised below:

Bord Iascaigh Mhara (BIM), Bord Bia and the National Milk Agency – lease their offices.

Veterinary Council of Ireland – Owns its offices at 33 Lansdowne Road.

The Marine Institute – has a site in Mayo 0.543 ha listed as surplus to requirement on the State Property Register.

Sea Fisheries Protection Authority has nothing surplus to requirements.

The Aquaculture Licensing Appeals Board is facilitated in a DAFM office and has no property.

It was not mandatory for Commercial State bodies to register on the State Property Register and **Horse Racing Ireland** and **The Irish National Stud** (both commercial state bodies) have nothing listed. **Bord na gCon** had already sold surplus property.

Coillte had been in contact with the Housing Delivery office and in that context had pre-identified a number of potential Coillte residential development sites which were included on the Rebuilding Ireland's Housing Land Map launched on the 27 April 2017. As regards the Coillte estate, please note also that further implications may need to be considered, should lands currently under forestry come under consideration for development.

As required, DAFM has reminded all non-commercial State bodies under its aegis that prior to seeking Ministerial approval to dispose of lands and buildings on the open market, that they must first consult with the Land Development Agency in relation to the appropriate disposal of those lands.

In compliance with this instruction, DAFM is aware that Teagasc has engaged with the Land Development Agency in relation to the sale of some of its land in Dublin and that a valuation is under way.

7. The number of prosecutions yielded out of the €1.47 million spent on legal fees by the Sea-Fisheries Protection Authority (SFPA) in 2019.

The figure of €1,478,232 relates to legal and professional costs incurred by SFPA. Legal advice and legal fees amounted in total to €178,590.

The SFPA advise that during 2019, a total of 52 separate case files were initiated by the SFPA and the Naval Service by way of direct enforcement, of the 52 cases, a total of 62 separate infringements were investigated. In relation to legal costs it should be noted that costs in relation to prosecutions taken are met from within the Vote of the Office of the Director of Public Prosecutions.

11. A detailed note on the Department's work in resourcing the SFPA over the past four years.

Over the past four years the Department has provided a significant amount of additional resources to the Sea Fisheries Protection Authority (SFPA) to allow the SFPA to continue to meet its National and EU obligations as Ireland's competent Authority for the enforcement of Sea Fisheries and seafood safety law and to meet challenges arising from Brexit and the EU Administrative Inquiry.

SFPA's expenditure outturn from 2017 to 2020 is set out in Table 1 below;

Table 1					
Programme D6 SFPA					
	2017	2018	2019	2020	2021*
Pay	7,080,000	6,664,000	9,115,000	9,492,000	12,962,000
Pensions	412,000	541,000	493,000	590,000	1,040,000
Non Pay	2,754,000	2,610,000	3,052,000	2,750,000	4,350,000
EMFF**					1,623,000

IMT**					4,185,000
Capital	485,000	105,000	345,000	365,000	650,000
Total	10,731,000	9,920,000	13,005,000	13,197,000	24,810,000

*2021 Budget Allocation - ** EMFF & IMT are new line items for 2021 onwards, these costs were previously funded from within the DAFM subheads and are now transferred to the SFPA vote.

During the period 2017 – 2021 SFPA Staffing has increased significantly as set out below.

Table 2				
SFPA Staffing Headcount 2017 - 2021				
Oct 2017	Oct 2018	Oct 2019	Oct 2020	May 21
104	123	134	148	156

Additional Resourcing

- A budget of €24.810 million has been allocated for 2021 shows an increase of €7.449 million over the 2020 Estimate which is related mainly to the allocation of additional staffing. The SFPA increased staff numbers to meet the demands of Brexit and efficient delivery of the SFPAs core business objectives, in particular, the EU Administrative Inquiry. As detailed in Table 2 above, staffing in the SFPA has increased from 104 staff in October 2017 to 156 staff as of May 2021.
- The SFPA will be required to support additional activity in the following areas as a result of Brexit: Import Consignments, Import Direct Landings, Export Consignments and Export Direct Landings. The Minister for Agriculture, Food and the Marine, designated additional Ports for third country landings in early 2021 in order to facilitate Northern Ireland registered vessels landing into Ireland. Greencastle, Howth, Burtonport, Ros an Mhíl & Rathmullan have been added to the list of designated Ports.
- Following an EU Commission Audit in 2018 relating to land based fisheries controls in Ireland, Ireland received a formal decision of the Commission's intention to conduct an administrative inquiry under Article 102(2) of the 2009 EU Fisheries Control Regulation to evaluate Ireland's capacity to apply the rules of the Common Fisheries Policy (CFP). The findings of the inquiry were communicated to Ireland in December 2020. The findings of the Administrative Inquiry deem the Irish control and sanctioning systems as unsatisfactory, and the Commission has put forward a concrete and specific package of measures to address the issues raised. The additional funding provided to the SFPA is intended to strengthen the organisation in order to address the shortcomings identified by the EU Commission.
- The increased budget allocation in 2021 also includes a new funding/revenue streams of €2.308m for EMFF projects and €3.500m for IT, totally €5.808m. These costs were previously funded from within the DAFM subheads and are now transferred to the SFPA vote.
- The resources provided enables the SFPA to deal with the mandatory monitoring and control systems required under existing fishery conservation control regulations and seafood safety regulations. This includes the costs associated with the introduction of European Union Points Systems Regulation SI No 318 of 2020. The SFPA has put in place the necessary

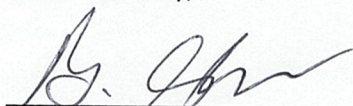
administrative and support systems to implement the Regulation. The Points for Licence holders is now fully operational since January 2021.

- SFPA is obliged to collect fees, as required under EU Official Controls Regulation (EU 2017/625 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products) which mandates in its Article 79 the collection of fees on a selection of official controls carried out by competent authorities to verify compliance with EU Food Law. The fee collection requirement is supported by Regulation 20(1)(e) and 20(2) of Statutory Instrument 22 of 2020 - European Union (Food and Feed Hygiene) Regulations, 2020.). SFPA will collect fees using the prescribed set rates provided for in Annex IV Chapter II (v) (a) of 625/2017 (for the official controls on producing and placing on the market fishery products and aquaculture products). This is in alignment with the Department of Agriculture, Food and the Marine's general fees regime. SFPA will collect such fees on all relevant mandatory regulatory official control activities carried out on fish and fishery products as live animals and products of animal origin. It should be noted that the scope of this requirement includes official controls only on food and does not include any official controls applied to verify compliance with EU sea-fishery conservation laws. The collection process will commence this year following an awareness campaign to inform seafood sector.
- The other core areas of the SFPA include the costs associated with certifying seafood in food business premises throughout the country, providing 24/7 Inspection services at the main fishery harbour centres and at numerous secondary ports around the coast. In October 2020, the SFPA signed a Memorandum of Understanding (MOU) with the Health Safety Authority (HSA) and in line with the MOU the SFPA is assessing and verifying compliance with the Return to Work Safely Protocol issued by the Department of Health and Business, Enterprise and Innovation in land-based seafood processing establishments approved by SFPA.

15. The number of prosecutions undertaken by the special investigations unit which have been withdrawn in the last five years, and the cost to the Department of withdrawing a prosecution.

To note:- At the meeting with the Committee on 20th April, reference was made to a high-profile case which was withdrawn in 2020, Department of Agriculture v. Brian Wright. It should be noted that this case was not included in the cases referenced in the earlier response to the Committee, as it was not an Investigations Division-led case.

Yours sincerely,



BRENDAN GLEESON

SECRETARY GENERAL

#	Owner Name	Asset Location	Asset Description	Folio	Land Area	Current Use	Current Zoning	Map (Pls attach, Google maps etc)	Comments (e.g. known contamination, environmental issues, listed structures, etc)
1	DAFM	Backweston, Kildare	Testing Centre Farm			- Crop Variety Testing			Gatehouse built in 1800 & residences
2	DAFM	Backweston, Kildare	Land		150 ha	Laboratory Complex and testing centre			cat 4 laboratory state labs, and future forensic science lab site land requested for link road to adamstown and extension of N7 and N4 Motorways
3	DAFM	Backweston, Kildare	Stacumny Cottage		0.35ha	residence			Residence Occupied
4	DAFM	Raphoe, Donegal	Potato testing Centre		78.0	Variety testing			To be adjusted downwards when monument and right of way are transferred issues with right of way
5	DAFM	Raphoe, Donegal	Potato testing Laboratory						monument sited on land
6	DAFM	Model Farm Rd, Cork	Land		2.6	laboratory complex			Adjusted to reflect the sale of lands to IDA. Zoned commercial
7	DAFM	Model Farm Rd, Cork	Blood Testing Laboratory			- as above			Laboratory is on remaining lands
8	DAFM	Model Farm Rd, Cork	Regional Veterinary Laboratory			- Laboratory complex			Biosecurity zone in place
9	DAFM	Teagasc College Athenry, Galway	Land	30832F	14.043 ha				14.043 HA at Gortahown - Folio 30832F 14.043 HA see copy folio. Land managed and farmed by Teagasc.
10	DAFM	Teagasc College Kildalton, Piltown, Kilkenny	Land		18.0 ha				College land managed and farmed by Teagasc
11	DAFM	Haulbowline Island, Cork	Haulbowline Island		45.7				Owned on foot of SI for remedial works

#	Owner Name	Asset Location	Asset Description	Folio	Land Area	Current Use	Current Zoning	Map (Pis attach, Google maps etc)	Comments (e.g. known contamination, environmental issues, listed structures, etc)
1	DAFM	Model Farm Rd, Cork	Land			2.6 laboratory complex			Adjusted to reflect the sale of lands to IDA. Zoned commercial
2	DAFM	Model Farm Rd, Cork	Blood Testing Laboratory			as above			Laboratory is on remaining lands
3	DAFM	Model Farm Rd, Cork	Regional Veterinary Laboratory			Laboratory complex			Biosecurity zone in place
4	DAFM	Haulbowline Island, Cork	Haulbowline Island		45.7				Owned on foot of SI for remedial works
5	DAFM	Ballyhooley, Cork	Forest plot		1.0				
6	DAFM	Ballyhooley, Cork	Forest plot		1.6				
7	DAFM	Ballyhooley, Cork	Forest plot		29.7				
8	DAFM	Bandon, Cork	Forest plot		1.4				
9	DAFM	Bandon, Cork	Forest plot		1.1				
10	DAFM	Doneraile, Cork	Forest plot		0.8				
11	DAFM	Dunmanway, Cork	Forest plot		0.1				
12	DAFM	Killarullen, Cork	Forest plot		7.0				
13	DAFM	Killeshin, Cork	Forest plot		0.8				
14	DAFM	Kilworth, Cork	Forest plot		1.5				
15	DAFM	Newmarket, Cork	Forest plot		6.2				
16	DAFM	Banteer, Cork	Forest plot		6.5				
17	DAFM	Dunahallow, Cork	Forest plot		5.9				
18	DAFM	Rosaberry, Cork	Forest plot		11.0				
19	DAFM	Raphoe, Donegal	Potato testing Laboratory		78.0				
20	DAFM	Ardrara, Donegal	Forest plot		6.5				
21	DAFM	Lettinkenny, Donegal	Forest plot		0.2				
22	DAFM	Killakee, Dublin	Forest plot		0.7				
23	DAFM	Kilcooley, Galway	Land Commission non-agricultural lands		1.7				
24	DAFM	Kylmalinelly, Galway	Land Commission non-agricultural lands		1.3				
25	DAFM	Syaun, Galway	Land Commission non-agricultural lands		1.7				
26	DAFM	Rosmore, Galway	Land Commission non-agricultural lands		3.2				
27	DAFM	Meelickmore, Galway	Land Commission non-agricultural lands		12.4				
28	DAFM	Athenny, Galway	Teagasc College	3083ZF	14.043 ha				monument sited on land
29	DAFM	Oughteraud, Galway	Forest plot		7				
30	DAFM	Glanlea, Kerry	Land Commission non-agricultural lands		4.0				
31	DAFM	Kenmare, Kerry	Forest plot		0.2				
32	DAFM	Kilglinn, Kerry	Forest plot		28.6				
33	DAFM	Backweston, Kildare	Testing Centre Farm			Crop Variety Testing centre			
34	DAFM	Backweston, Kildare	Land		150 ha	Laboratory Complex and testing centre			Gatehouse built in 1800 & residences
35	DAFM	Backweston, Kildare	Stacumny Cottage						Cat 4 laboratory, state labs, and future forensic science lab site land requested for link road to adamstown and extension of N7 and N4 Motorways
36	DAFM	Piltown, Kilkenny	Teagasc College, Kildalton, Land farmed		0.35ha	Residence			Residence Occupied
37	DAFM	Durrow, Leobis	Forest plot		18.0 ha	Land			College land managed and farmed by Teagasc
38	DAFM	Durrow, Leobis	Forest plot		0.4				
39	DAFM	Adare, Limerick	Forest plot		3.0				
40	DAFM	Granard, Longford	Forest plot		0.7				
41	DAFM	Ballymacraha, Mayo	Land Commission non-agricultural lands		12.1				
42	DAFM	Clorhane, Offaly	Land Commission non-agricultural lands		8.2				
43	DAFM	Ballyegan, Offaly	Land Commission non-agricultural lands		44.7				
44	DAFM	Tullamore, Offaly	Forest plot		2.5				
45	DAFM	Cloonskilling, Roscommon	Land Commission non-agricultural lands		0.7				
46	DAFM	Cloonshanwill, Roscommon	Land Commission non-agricultural lands		33.0				
47	DAFM	Cloontad, Roscommon	Land Commission non-agricultural lands		2.9				
48	DAFM	Cloonskilling, Roscommon	Land Commission non-agricultural lands		4.9				
49	DAFM	Cloonskilling, Roscommon	Land Commission non-agricultural lands		21.6				
50	DAFM	Cloonskilling, Roscommon	Land Commission non-agricultural lands		0.6				
51	DAFM	Mallynabouna, Roscommon	Land Commission non-agricultural lands		5.0				
52	DAFM	Cloonskilling, Roscommon	Land Commission non-agricultural lands		21.9				
53	DAFM	Termon More, Roscommon	Land Commission non-agricultural lands		55.3				
54	DAFM	Termon More, Roscommon	Land Commission non-agricultural lands		10.8				
55	DAFM	Termon More, Roscommon	Land Commission non-agricultural lands		18.4				
56	DAFM	Cloonskilling, Roscommon	Land Commission non-agricultural lands		25.7				
57	DAFM	Cloonskilling, Roscommon	Land Commission non-agricultural lands		32.6				
58	DAFM	Lissegool, Roscommon	Land Commission non-agricultural lands		5.3				
59	DAFM	Lough Key, Roscommon	Forest plot		32.0				
60	DAFM	Collooney, Sligo	Forest plot		1.3				
61	DAFM	Clonmel, Tipperary	Forest plot		3.2				
62	DAFM	Rear Cross, Tipperary	Forest plot		0.5				
63	DAFM	Carrick-on-Suir, Tipperary	Forest plot		2.5				
64	DAFM	Kilshelan, Tipperary	Forest plot		1.9				
65	DAFM	Castlepollard, Westmeath	Forest plot		0.2				

#	Owner Name	Asset Location	Asset Description	Folio	Land Area	Current Use	Current Zoning	Map (Pis attach, Google maps etc)	Comments (e.g. known contamination, environmental issues, listed structures, etc)
66	DAFM	Lough Ennel, Westmeath	Forest plot		14.5				
67	DAFM	Forth, Wexford	Forest plot		4.8				
68	DAFM	Gorey, Wexford	Forest plot		11.1				
69	DAFM	Ballinacorney, Wicklow	Forest plot		60.7				
70	DAFM	Shelton, Wicklow	Forest plot		0.2				
71	DAFM	Avonmore, Wicklow	Forest plot		1.0				
72	DAFM	Enniskerry, Wicklow	Forest plot		4.0				
73	DAFM	Glendalough, Wicklow	Forest plot		7.6				
74	DAFM	Saggart, Wicklow	Forest plot		1.4				
75	Teagasc	Ashdown	Research Centre		11.55				Owned
76	Teagasc	Abtny	Research Centre, Advisory Office & Farm		103.61				Owned
77	Teagasc	Ballina	Advisory Office						Owned
78	Teagasc	Ballinacorney	Advisory Office						Owned
79	Teagasc	Ballymore	Advisory Office						Owned
80	Teagasc	Ballymore	Advisory Office						Owned
81	Teagasc	Ballymore	College, Advisory Office & Farm		223				Owned
82	Teagasc	Ballymore	Advisory Office						Owned
83	Teagasc	Castlereagh	Advisory Office						Owned
84	Teagasc	Clonakilty	College, Advisory Office & Farm		135				Owned
85	Teagasc	Clonmel	Advisory Office						Owned
86	Teagasc	Drogheda	Advisory Office						Owned
87	Teagasc	Dundalk	Advisory Office						Owned
88	Teagasc	Dungarvan	Advisory Office						Owned
89	Teagasc	Ennis	Advisory Office						Owned
90	Teagasc	Enniscorthy	Advisory Office						Owned
91	Teagasc	Gorey	Advisory Office						Owned
92	Teagasc	Grange	Research Centre, Advisory Office & Farm		235				Owned
93	Teagasc	Johnstown Castle	Research Centre, Advisory Office & Farm		379.28				Owned
94	Teagasc	Kildalton	College & Farm		157.96				Owned
95	Teagasc	Kilkenny	Advisory Office						Owned
96	Teagasc	Killarney	Advisory Office						Owned
97	Teagasc	Kilmallock	Advisory Office						Owned
98	Teagasc	Kilrush	Advisory Office						Owned
99	Teagasc	Kinsealy	Research Centre, Advisory Office		10.27				Owned
100	Teagasc	Kinsale	Research Farm		23.67				Owned
101	Teagasc	Letterkenny	Advisory Office						Owned
102	Teagasc	Litwell	Advisory Office						Owned
103	Teagasc	Longford	Advisory Office						Owned
104	Teagasc	Macroom	Advisory Office						Owned
105	Teagasc	Mallow	Advisory Office						Owned
106	Teagasc	Manorhamilton	Advisory Office						Owned
107	Teagasc	Midleton	Advisory Office						Owned
108	Teagasc	Mohill	Advisory Office						Owned
109	Teagasc	Monaghan	Advisory Office						Owned
110	Teagasc	Moorepark	Research Centre, Advisory Office & Farm		149.05				Owned
111	Teagasc	Moorepark	Research Farm		29.77				Owned
112	Teagasc	Moorepark	Farm - leased to Dept. Agriculture		42				Owned - Leased out
113	Teagasc	Mullinavat	Advisory Office						Owned
114	Teagasc	Mullingar	Advisory Office						Owned
115	Teagasc	Neas	Advisory Office						Owned
116	Teagasc	Nevan	Advisory Office						Owned
117	Teagasc	Nenagh	Advisory Office						Owned
118	Teagasc	Newcastlewest	Advisory Office						Owned
119	Teagasc	Oak Park	Head Office, Research Centre, Advisory Office & Farm		238				Owned
120	Teagasc	Oak Park	Recreational park						
121	Teagasc	Portlaoise	Advisory Office		49.48				Owned - Leased out
122	Teagasc	Roscommon	Advisory Office						Owned
123	Teagasc	Scariff	Advisory Office						Owned
124	Teagasc	Skibbereen	Advisory Office						Owned
125	Teagasc	Thurles	Advisory Office						Owned
126	Teagasc	Tinahely	Advisory Office						Owned
127	Teagasc	Tullamore	Advisory Office						Owned
128	Teagasc	Tullamore	Advisory Office						Owned
129	Teagasc	Westport	Advisory Office						Owned
130	Teagasc	Raheen, Limerick	Site		0.28				Sale Agreed