

# DÁIL ÉIREANN

## AN COISTE UM CHUNTAIS PHOIBLÍ

## COMMITTEE OF PUBLIC ACCOUNTS

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*Déardaoin, 14 Deireadh Fómhair 2021*

*Thursday, 14 October 2021*

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The Committee met at 9.30 a.m.

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### MEMBERS PRESENT:

Deputy Colm Burke,	Deputy Neasa Hourigan,
Deputy Jennifer Carroll MacNeill,	Deputy Paul McAuliffe,
Deputy Matt Carthy,	Deputy Imelda Munster,
Deputy Cormac Devlin,	Deputy Catherine Murphy,
Deputy Alan Dillon,	Deputy Verona Murphy.

DEPUTY BRIAN STANLEY IN THE CHAIR.

**Mr. Seamus McCarthy** (*An tArd Reachtaire Cuntas agus Ciste*) called and examined.

### **Business of Committee**

**Chairman:** All are very welcome to the meeting. No apologies have been received but Deputy Sherlock may be delayed by other duties in the Dáil Chamber. The Comptroller and Auditor General, Mr. Seamus McCarthy, is a permanent witness. He is attending the meeting remotely.

I ask that members and all attendees exercise personal responsibility in protecting themselves and others from the risk of Covid-19 by leaving a vacant space between themselves and other persons, using the sanitisers provided, keeping appropriate social distance during and after meetings, and keeping their masks on except when speaking. Members participating remotely must continue to do so from within the precincts of Leinster House. This is due to the constitutional requirement that in order to participate in public meetings, members must be physically present within the confines of Leinster House.

### **2020 Report of the Comptroller and Auditor General and Appropriation Accounts**

#### **Vote 29 - Environment, Climate and Communications**

#### **Chapter 9 - Remediation of Landfill Sites**

**Mr. Mark Griffin** (*Secretary General, Department of the Environment, Climate and Communications*) called and examined.

**Chairman:** This morning, we engage with witnesses from the Department of the Environment, Climate and Communications. After lunch, we will consider correspondence and other business of the committee. The engagement with the witnesses will focus on the appropriation account for Vote 29 and chapter 9 of the Comptroller and Auditor General's accounts re remediation of landfill sites. We are joined remotely from outside the precincts of Leinster House by the following officials: Mr. Mark Griffin, Secretary General of the Department; Mr. Ciarán Ó hÓbáin, assistant secretary, communications; Mr. Fergal Mulligan, national broadband plan programme manager; Mr. Robert Deegan, principal officer, energy division; Mr. Philip Nugent, assistant secretary, natural resources and waste; and Ms Catherine McGinty, assistant principal officer, finance unit. We are also joined remotely from within the precincts of Leinster House by Mr. Ken Cleary, principal officer in the environment, climate and communications Vote section of the Department of Public Expenditure and Reform.

Before we start, I wish to explain some limitations to parliamentary privilege and the practice of the House as regards references speakers may make to other persons. The evidence of witnesses physically present or who give evidence from within the precincts of Leinster House is protected pursuant to both the Constitution and statute by absolute privilege. However, a number of today's witnesses are giving evidence remotely from a place outside Leinster

House's precincts and, as such, may not benefit from the same level of immunity from legal proceedings as those physically present. Witnesses have already been advised of this and may have thought it appropriate to take legal advice on the matter. Members are reminded of the long-standing parliamentary practice that they should not comment on, criticise or make charges against a person outside the House or an official, either by name or in such a way as to make him or her identifiable.

I ask the Comptroller and Auditor General to make his opening statement.

**Mr. Seamus McCarthy:** The appropriation account for Vote 29, Department of the Environment, Climate and Communications, indicates gross expenditure of €428 million was incurred in 2020. This was distributed across five diverse expenditure programmes of varying size. The largest expenditure programme related to energy, accounting for €204 million, or 48%, of the total spent in 2020. A total of €127 million was expended on energy efficiency programmes promoted by the Sustainable Energy Authority of Ireland, SEAI, a decrease of 16% when compared with the expenditure outturn in 2019. The 2020 energy programme also includes expenditure of €50 million for the purchase of statistical transfers from other EU member states as a result of a shortfall in the achievement of Ireland's 2020 obligations under the renewable energy directive. Provision has been made in the 2021 Estimate for further statistical transfer purchases.

Expenditure on the communications programme in 2020 was just under €89 million, which was significantly less than the amount provided for the year of almost €158 million. Expenditure on the information and communications technology programme, at €53 million, was only around half the level provided for, due to delayed deployment of the national broadband plan, NBP, network. Given the scale of the plan, it would be useful for the Department to consider giving it its own subhead in the future.

The Department spent more than €81 million of voted funds on the environment and waste management programme in 2020. More than half of the voted expenditure went to support the operations of the Environmental Protection Agency, EPA. In addition to the voted expenditure, the Department spent just under €17 million on environmental projects and initiatives from the separate environment fund in 2020. The Department spent almost €33 million under the inland fisheries programme and just over €21 million on a range of services covered by the natural resources programme.

Receipts that could be used by the Department to support its voted expenditure amounted to €13 million in 2020. The surplus remaining unspent at year end was just over €101 million. With the agreement of the Minister for Public Expenditure and Reform, the Department was able to carry over €38 million in unspent capital funding to 2021. The balance of €63 million was surrendered to the Exchequer. In addition, the Department transferred directly to the Exchequer €123 million it received in regard to the operations of the EU emissions trading system, as disclosed in note 4.3.

Members may wish to note that the Department was responsible for the oversight of a broad range of public sector bodies, including regulators and a number of major commercial State bodies that do not receive ongoing grant funding. The bodies are listed in an appendix to the appropriation account.

Chapter 9 of the Report on the Accounts of the Public Services 2019 reports on the findings of an examination of the costs associated with landfill remediation. Landfill is no longer used

as a general strategy for waste disposal and, at the end of 2019, just three landfill sites continued in operation. However, historical sites continue to pose environmental risks and may require monitoring and expensive remediation. Costs incurred by the Vote associated with landfill remediation amounted to €12 million in 2020.

As at July 2020, a total of 611 landfill sites had been identified in the State. They comprise 117 sites licensed and regulated by the EPA since March 1997 and 494 unregulated landfill sites recorded on a national register. More than 70% of the unregulated sites are pre-1997 local authority-operated landfills, approximately 21% are privately operated sites and just over 8% are identified illegal landfill sites.

The EPA monitors environmental risk factors on an ongoing basis at the 117 landfill sites it regulates. The agency does not monitor environmental risk factors at the unregulated landfills but has a role in authorising proposed plans for their remediation. At the time the report was being completed, 152 sites operated by local authorities pre-March 1997 had been assessed as being of either moderate or high risk for the environment. Remediation plans to address the environmental risks identified had been submitted to the EPA in respect of 19% of those sites, and certificates of authorisation to commence remediation had been issued in respect of only 11, or 7% of the total.

By the end of 2019, the Department had provided more than €158 million under a grant scheme for assisting remediation of 122 landfill sites. This included €52 million contributed from the Vote for the remediation of a site at Haulbowline Island in Cork Harbour. An additional €25 million was spent on this project under the marine Vote. The Department had spent €33.5 million on the remediation of two large landfill sites, at Kerdiffstown in Kildare and Kilconnell in Galway, and further significant expenditure was anticipated. Both of those landfill sites were formerly privately operated under EPA licences but are now being managed by the respective local authorities.

Financial provision arrangements as part of EPA licensing of private operators are intended to ensure there will be sufficient resources available, without recourse to public funds, to pay for restoration and aftercare costs when landfill sites close, or when pollution incidents occur during operation. Financial provision arrangements as part of EPA licensing of private operators are intended to ensure that there will be sufficient resources available, without recourse to public funds, to pay for restoration and aftercare costs when landfill sites close or when pollution incidents occur during operation. Kilconnell landfill is an example of where the financial provision arrangement in place failed to provide the funds required to meet closure and aftercare costs. Instead, the Department has had to fund substantial costs associated with the closure, remediation and ongoing monitoring of the site.

The report includes recommendations for the Department to review the governance and oversight arrangements for landfill sites, ensure the completion of outstanding risk assessments for all sites and develop medium-term estimates of the future costs associated with landfill remediation.

**Chairman:** I thank Mr. McCarthy. I now call Mr. Griffin, who has five minutes.

**Mr. Mark Griffin:** Many thanks to the Chairman and the committee for the invitation today. As the committee will be aware, the Department in its current form was established following the reconfiguration of a number of Departments by Government in June 2020, and a transfer of functions order was made in September 2020 formally assigning the broadcasting and media

functions to the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media. The 2020 income and expenditure relating to those functions are included in the appropriation account for that Department in Vote 33.

Total gross expenditure under the Vote in 2020 amounted to €428 million, some 21% or €113 million below the budgetary allocation of €541 million, which included capital carryover. The Covid-19 pandemic impacted expenditure across all programme areas of the Department in 2020, and, in particular, the communications and energy programmes, which had savings of €69 million and €14 million, respectively. The impact of the pandemic is also reflected in reduced output and spend across these programmes in 2021.

The Department and its agencies played an important role throughout the pandemic by ensuring the continuity of critical infrastructure and by putting in place measures to mitigate the impact of Covid-19 on businesses and individuals. Staff in the Department continued to deliver on major business priorities during 2020, some of which are set out in the briefing note provided to the committee, with a more comprehensive list of activity and outputs contained in the Department's annual report for 2020, which has been published.

Our agencies also played a key role in supporting businesses and citizens. An Post, for example, kept its network of more than 900 post offices open, fulfilling an important commercial and social role to communities. ComReg worked closely with telecommunications operators to ensure that the necessary measures and plans were put in place by networks to manage and handle the surge in voice and data traffic with offices, schools and third-level institutions shut and those activities taking place in the home. The Commission for Regulation of Utilities, CRU, put temporary measures in place to strengthen the protections in place for energy consumers.

The Department secured additional funding in 2020 for the trading online voucher scheme as part of the Government's Covid-19 business supports package for small businesses. This was to meet the increased demand from businesses that found themselves unable to trade physically and had to move their businesses online. In 2020, €21 million was spent on the scheme, of which €18.5 million can be directly attributed as Covid-19-related spend. Approximately 13,000 vouchers, which is ten times the number approved in 2019, were awarded and more than 28,000 small businesses benefitted from the training, advice and support provided by local enterprise offices, LEO, as part of the scheme. Usage of eircode postcodes, which had been trending significantly upwards in recent years, jumped significantly in 2020 to almost 28 million look-ups compared to 19 million in 2019. A significant part of this increase is a result of the shift to online shopping last year. We have seen a further significant increase of 24% over the first eight months of 2021.

The year 2020, which was the first year of the national broadband plan, NBP, contract, saw a significant level of mobilisation activity by National Broadband Ireland, NBI, including recruitment of personnel, procurement of materials and contractors, installation of equipment in exchanges, building IT systems to support the network and undertaking surveys and designs, which were progressed right across the country to inform the build programme, resulting in the first homes being connected to the new fibre network in January of this year in County Cork.

The roll-out of the NBP has, however, been impacted by the Covid-19 pandemic. While telecommunications activity was deemed essential work under Covid-19, activities relating to network build generally involve multiple-person crews. The onset of significant Covid-19 case numbers and the implications for close contacts severely impacted NBI's ability to have crews operating during certain periods in 2020 and 2021.

The Department has worked closely with NBI to put a remedial plan in place to address delays experienced to the NBP roll-out. Under this plan, NBI is implementing a number of measures to help lessen the impact, including increasing the level of throughput in the eir make-ready programme and bringing additional resources into NBI and its subcontractors.

As of 1 October this year, more than 257,000 premises have been surveyed and build works involving more than 108,000 premises are ongoing across the country. There are now more than 250 staff employed directly by NBI, along with more than 850 contractors throughout the country working on the network design and roll-out. In addition, 379 broadband connection points have been installed by NBI, including 141 primary schools. By the end of this year, NBI has forecast that almost 60,000 homes will have been passed and will be able to connect to the network.

Works under the Sustainable Energy Authority of Ireland, SEAI, energy schemes were also impacted by Covid-19 restrictions, particularly between March and June 2020, when activity paused in line with public health and Government guidelines. Almost €79 million was spent on energy efficiency measures through grants to more than 17,600 homes, 39 community-based projects and 1,615 households at risk of energy poverty. The first auctions under the renewable electricity support scheme, RESS, took place in July 2020 and 68 new renewable energy projects, equating to almost 1,100 MW of new electricity generation, received letters of offer. The Department opened a call for applications to the just transition fund in June 2020 and provisional funding offers were announced in November last year. While spend in 2020 was low, funding of €30 million has been allocated to more than 60 projects throughout the region in the private sector, local authorities and communities.

Some €48 million was provided to the EPA and €23 million to local authorities for waste management programmes, including €10 million provided through the environment fund. A Waste Action Plan for a Circular Economy was launched in September 2020 as Ireland's new roadmap for waste planning and management. The plan shifts focus away from waste disposal and looks instead at how we can preserve resources by creating a circular economy.

A sum of €12 million was provided in 2020 for landfill remediation. As set out in the Comptroller and Auditor General's chapter, the landfill remediation programme was set up in 2006 to address the findings of the 2005 European Court of Justice, ECJ, judgment against Ireland. Fifteen years on from that judgment, we are now in a very different context in terms of our waste management performance.

The ECJ case itself was closed in 2015 as Ireland was considered to have made sufficient progress in implementing a programme of measures agreed with the European Commission. There are now just three active landfills in Ireland that accept municipal waste, down from 126 at the time the proceedings were first brought by the Commission. Our recycling rate was less than 5% in 1998 but now stands at approximately 40%, and 92% of municipal waste was sent to landfill whereas only 14% was landfilled in 2018. Having been found to be breach of our core obligations under the waste framework directive, we are now meeting or are on course to meet all of our EU objectives in this area.

Since the 2019 Comptroller and Auditor General chapter, important structural and administrative changes have been applied to the management and governance of the landfill remediation programme and these will deliver results in a more streamlined and accountable manner in the coming years. In 2020, for the first time, expenditure under the scheme exceeded the budget allocated. The Comptroller and Auditor General made three recommendations in his report and

implementing measures to address the recommendations are being incorporated into the management of the programme.

I look forward to assisting the committee members with any questions they may have today.

**Chairman:** I thank Mr. Griffin. The lead speaker is Deputy Carroll MacNeill, who has 15 minutes.

**Deputy Jennifer Carroll MacNeill:** I thank everybody for coming and Mr. Griffin for his opening statement. I will start with cybersecurity. I believe the National Cyber Security Centre, NCSC, is an arm of Mr. Griffin's Department. How many ransomware attacks does he believe there have been both on and in the State, say, in the past three years?

**Mr. Mark Griffin:** I will be coy enough in the response I give the Deputy. Some of the stuff that we give out in this area is potentially of significant benefit to those who are interested in targeting the State and who are interested in ensuring that the sort of event-----

**Deputy Jennifer Carroll MacNeill:** Then let me ask Mr. Griffin a different way. My time is limited. What steps have been taken? This does not draw too far into policy because it is about protecting the State from vulnerabilities and protecting the risk to the State. The Senate intelligence committee in US is considering prohibiting ransomware payments generally from private companies, as much as for any other entity. This would prohibit payment of ransom to ransomware attacks. Has the Department considered that as a protective response to reduce the potential cost vulnerability to the State, as well as the rest of the vulnerability?

**Mr. Mark Griffin:** I will step back a bit. When one looks at what happened earlier this year with the HSE attack, an important decision was taken straight away that we would not entertain the payment of a ransom to the group that initiated this criminal act against the HSE. That was recognised as a positive step right across the EU and internationally. Ireland was complimented in setting that out as a red line in dealing with this particular issue. What the Deputy has described is the evolution of cyberpolicy. It is an evolution. We are moving through phases where we are seeing significant activity in this sector. We will take whatever measures are required to ensure that the State, the operators of State infrastructure, private citizens and private businesses are protected to the greatest extent possible in dealing with the issues that we have to contend with, not just in light of the HSE attack but in light of broader issues more generally in cyberspace, such as the types of threats that are emerging.

To revert to the Deputy's previous question, in 2020 a particular vulnerability arose during the massive shift from office-based and business-based work to the home. A significant degree of disruption was caused to how businesses functioned. We saw a rapid, significant increase in cyber-incidents right across the State. We estimate that in 2020, the computer security incident response team, CSIRT-IE, in the NCSC handled about 3,000 cybersecurity incidents.

**Deputy Jennifer Carroll MacNeill:** How does that compare with previous years?

**Mr. Mark Griffin:** I do not have a figure for the previous years. However, based on the figures for the first three quarters of this year, we expect that that figure will be exceeded over the course of 2021. We are seeing a gradual increase in activity from the types of organisations that want to do damage to states, to state infrastructure and to private sector companies. We are responding accordingly. The Deputy will have seen the decisions that the Government took in July of this year to make sure the NCSC has the capacity to respond to incidents as they arise.

**Deputy Jennifer Carroll MacNeill:** If it is an increasing trend, perhaps Mr. Griffin would send the figure to the committee privately for the previous three years, so that we have a basis for comparison. The figure of 3,000 is hard to contextualise otherwise, as he will understand.

**Mr. Mark Griffin:** Of course.

**Deputy Jennifer Carroll MacNeill:** I will move on to my other questions. Mr. Griffin mentioned in his letter to us dated 11 August, and I have just repeated it in relation to the schools, that the plan is to roll out high-speed broadband to 679 primary schools. He said in his opening remarks that this has been done in 141 schools at this point. I have some quick questions. Are these radio connections or fibre connections?

**Mr. Mark Griffin:** They will be a mix. I could ask Mr. Mulligan to come in and explain exactly what they are-----

**Deputy Jennifer Carroll MacNeill:** That is fine.

**Mr. Mark Griffin:** -----but they are a mix of technologies.

**Deputy Jennifer Carroll MacNeill:** Who is building this? Is it National Broadband Ireland, NBI, or is it a subcontractor?

**Mr. Mark Griffin:** NBI is providing the connection to the broadband connection points, BCPs, and to the schools. Subcontractors are providing the internal service. For example, we have 379 BCPs connected now, as I said in my opening statement. Subcontractors provide the service internally to the BCP. That contract is with Vodafone.

**Deputy Jennifer Carroll MacNeill:** To go back to the schools, have the contracts been awarded to the subcontractors at this point?

**Mr. Mark Griffin:** They have been awarded. I am not sure whether they have been fully awarded. We have moved to a situation where NBI will do the connections again, but the subcontracts will be carried out by a range of contractors, as I understand it. They are being appointed by the Department of Education. At this stage, of the 379 schools, 141 have been connected. There will be a cumulative figure of 200 by the end of this year. The full 679 schools will be connected by the end of 2022. We have brought that forward.

**Deputy Jennifer Carroll MacNeill:** So the contracts have been partially awarded. Is that correct?

**Mr. Mark Griffin:** Does Mr. Mulligan want to come in on that specific issue?

**Deputy Jennifer Carroll MacNeill:** I will ask another question-----

**Mr. Mark Griffin:** It is a matter for the Department of Education to do that chunk of the work in terms of the subcontractors----

**Deputy Jennifer Carroll MacNeill:** What about HEAnet? I thought that it was to be involved. I thought there were broader issues around the primary schools, particularly around security issues, as well as about filters to weed out inappropriate content getting into schools. What is the role of HEAnet in all of that?

**Mr. Fergal Mulligan:** I can answer this. HEAnet, through the Department of Education, manages and monitors all the networks through the schools to ensure that none of that happens.



Regardless of the contract with NBI, that is their role. With regard to the build-out of schools, NBI is fully responsible for all 679 schools. Through that contract with us and NBI, NBI then procures different companies across different parts of Ireland to help them to roll that out, whether its Enet, Viatel or Ripplecom. Many companies offer it. At the moment, the majority of schools and BCPs are using an 8.5 high-spec wireless link until the fibre network is fully deployed across the relevant areas. We should not forget that the schools' BCP initiative was an initiative to get as much done as quickly as possible in every part of Ireland, before the full fibre is rolled out over the next seven years.

**Deputy Jennifer Carroll MacNeill:** I thank Mr. Mulligan. I have other questions. I am not trying to be funny, but I am not sure if his broadband connection is the strongest. At a recent meeting of the communications committee, the NBI said that the taxpayer is insulated from any inflation or price increase on the NBI roll-out and that it is capped at €2.5 billion. From the Department's perspective, is that 100% correct? Are there any variables that might shift that? Is it a fixed price with no additions?

**Mr. Mark Griffin:** It is a fixed price with no additions. The original figure was €2.977 billion, including VAT. We had a VAT decision from Revenue which is €2.7 billion. That brought the figure back down to €2.7 billion. That includes contingency pots. That is the capped maximum. As NBI said at the committee on 15 September, anything over and above that in terms of the cost of the project, if it ever got to that point, would be a matter for NBI to fund.

**Deputy Jennifer Carroll MacNeill:** What is the size of the NBP team within the Department? Does it have any external advisers, such as accountants, lawyers, and so on?

**Mr. Mark Griffin:** We have external advisers. The overall size of the NBP team is roughly 50 people. That is a mix of advisers and internal staff. The external advisers we have at the moment are from Ernst & Young, Analysys Mason and William Fry. This provides a mix of commercial, technical and legal advice to the Department.

**Deputy Jennifer Carroll MacNeill:** What is the annual cost for the advisers retained by the Department to review and oversee the project?

**Mr. Mark Griffin:** To give the Deputy the 2021 figure, for example, the figure until the end of September is just short of €5.8 million. We provided a table to the committee in one of our letters post our last hearing. I can provide an update on that after the meeting if that would be helpful.

**Deputy Jennifer Carroll MacNeill:** It is always helpful. Thank you.

**Mr. Mark Griffin:** To make a general point, when we look at a project of €2.7 billion, it is essential that we commit the right level and type of resources to oversee the project.

**Deputy Jennifer Carroll MacNeill:** I agree with Mr. Griffin. That is why I am asking questions in relation to the fixed price. Obviously, Covid-19 will have some impact on that. However, we are also aware of considerable supply chain difficulties in the global market at the moment. There are considerable labour market pressures including and specifically for engineers, which is always a challenge. Our experience on this committee in relation to variations on a project is considerable. I refer, for example, to the work that we have done on the national children's hospital. We understand the level of oversight that is necessary, but that is why I am asking the questions about the fixed price.

Can I go to the point on existing infrastructure that Mr. Griffin made in his August letter to the committee? Rural Ireland is a huge focus of the NBP. My colleague from Dún Laoghaire, Deputy Devlin, will agree with me that we also have problems in the cities. Substantial existing infrastructure is held by various councils, Transport Infrastructure Ireland, Ervia and the ESB. I am open to correction, but I read somewhere that Dublin City Council even has a telecoms department. What is the Department's role in pulling all of those assets together and making them more accessible for the enhancement of the city broadband network? What is the blueprint for bringing all of the existing infrastructure together that is in the road and is held by State assets?

**Mr. Mark Griffin:** Is this question specifically about the city or is it a more general question about the reuse of infrastructure?

**Deputy Jennifer Carroll MacNeill:** It is a question about the Department's plan to bring all of the infrastructure together to make city broadband more effective, more quickly. These are existing State assets in the road, but we still have problems with city broadband. From the Department's perspective, what is the plan to co-ordinate all of those State assets to bring them into being more quickly so that people in cities have access to better broadband? It is clearly a challenge.

**Mr. Mark Griffin:** Again, I will ask Mr. Mulligan to come in on this and to perhaps make a more general comment about the reuse of infrastructure, which is a feature of the NBP. There is a requirement to do so under EU state aid rules. Could he refer to the information gathering that we have done over the years in terms of identification of the infrastructure? He might also have a view on the specific point the Deputy raised about the city.

**Mr. Fergal Mulligan:** First, the State can only intervene in the broadband market where there is market failure. That is exactly what we are doing with the amber and blue areas if the Deputy is familiar with the map. Most of the commercial areas are the blue areas – Dublin, Cork, Limerick and all the towns. What is happening there on an ongoing basis is the likes of Eir, SIRO and many of the other operators are using infrastructure across the city. All the-----

**Chairman:** Mr. Mulligan has lost his sound.

**Deputy Jennifer Carroll MacNeill:** Perhaps he is in Dún Laoghaire?

**Mr. Mark Griffin:** He is not; he is in Wicklow. He is a man stuck in an amber area that badly needs a connection.

**Deputy Jennifer Carroll MacNeill:** Perhaps I will ask another question.

**Mr. Mark Griffin:** Does Mr. Ó hÓbáin have anything to add?

**Mr. Ciarán Ó hÓbáin:** Yes, through the mobile phone and broadband task force, there has been significant engagement with telecoms operators about ways of ensuring they can deploy infrastructure where they need to deploy it and trying to manage the costs around the infrastructure. A lot of the focus to date has been on the administrative processes and the engagement with local authorities, getting a consistent approach on road openings, fees, etc. The future work programme of the task force is being finalised at the moment, and one of the areas that has been proposed and is being looked at is how to best leverage the availability of existing State assets, especially buildings in the context of 5G where we will have to have smaller antennae and an increasing number of them, or a telecoms asset.

**Deputy Jennifer Carroll MacNeill:** Could I just ask a question?

**Mr. Ciarán Ó hÓbáin:** The aim is to ensure the best and freest access for telecoms operators.

**Deputy Jennifer Carroll MacNeill:** I thank Mr. Ó hÓbáin.

**Mr. Ciarán Ó hÓbáin:** It is simply a matter for the operators to decide where they want to go. That is being actively looked at as being one of the key strands of the future work programme of the task force in terms of how to progress that across the city.

**Deputy Jennifer Carroll MacNeill:** I thank Mr. Ó hÓbáin.

In terms of existing infrastructure, what proportion of fibre assets does he think are being underutilised at this point or not utilised?

**Mr. Ciarán Ó hÓbáin:** I do not have an answer to that. Perhaps ComReg might have a view.

**Deputy Jennifer Carroll MacNeill:** Is it 50% or 10%?

**Mr. Ciarán Ó hÓbáin:** Our focus on bringing that forward as a proposal for the task force is that the telecoms operators themselves are saying there are assets there that they would like to get access to, in particular buildings or towers in public ownership. The focus is on getting them to be able to deploy from the right place at the right time. Rather than it being a question of there being fibre assets that are being underutilised, it is more about actual physical infrastructure that they want to locate their infrastructure on.

**Mr. Mark Griffin:** Deputy Carroll MacNeill raises a fair point. In fairness to her, we have not been able to address it comprehensively enough for her, so we will come back to her in writing, as we will do with other issues raised by the committee post the hearing if that works and try to be as comprehensive as we can.

**Deputy Jennifer Carroll MacNeill:** I thank Mr. Griffin.

**Chairman:** We would appreciate it if Mr. Griffin could come back to the committee with the information.

**Deputy Cormac Devlin:** I bid Mr. Griffin and his colleagues a good morning and thank them very much for their attendance. I will take up the point made by my colleague, Deputy Carroll MacNeill, on blackspots across the city and county of Dublin and the greater Dublin area. We need reassurance that the NBP is going to address those blackspots. Many consumers have contacted all Deputies, in particular in urban areas. They are being told by providers that their broadband connection is coming and if they sign up, they will be connected in 12 months but that is not happening. Whether it is a breakdown or an over-promise by certain providers, are these issues going to be addressed in the short term?

It was stated that 257,000 premises had been surveyed. The Comptroller and Auditor General thinks there should be a separate subhead for this extensive plan and Mr. Griffin might come back on that as well to say if that is going to be incorporated into this year's accounts. We need reassurance that Dublin is going to be addressed.

**Mr. Mark Griffin:** On the two issues, I will take the Comptroller and Auditor General's

comment first that it should be separated out into a subhead in the Vote. He is correct on that. We need to carve it out given how over-representative it is on spend under the A3 subhead. We will look at that between the Abridged Estimates volume that was published yesterday and the Revised Estimates Volume which will be published at the end of the year. We will talk to our colleagues in the Department of Public Expenditure and Reform on that.

We receive multiple parliamentary questions on the blue-amber area in cities. We attempt to look at the specific premises involved to see if there are commercial operators in the area that intend to provide a service as part of their work programme. There is a facility within the contract to extract premises that are defined as blue in the existing map and to put them into the amber pot so that they will be catered for under the NBP. That work is ongoing in consultation with commercial operators. To the extent required, we will engage with the European Commission on that. What we have seen in the past year and a bit, since the project kicked off, is that a large number of issues have been raised on the matter and we will respond to that.

**Deputy Cormac Devlin:** I know it is extensive. It would be good if Mr. Mulligan could organise a deputation for Dublin Deputies on those issues, but that can be for another day.

I will turn to the NCSC and staffing. A total of 20 new posts were announced in July, following the cyberattack on the HSE in March. That would bring the total number of staff from 25 to 45. What progress has been made on their recruitment and on the appointment of a director for the centre?

**Mr. Mark Griffin:** I will take the question on the director first. I looked back at the transcript of our meeting on 22 January and, from memory, we indicated at that stage that we expected to be in a position to appoint a director. An offer was made, but it was not accepted for a number of reasons which I will not get into. We have gone back out to the market at a higher salary level. It was approved by the Government that the incoming director would be appointed at deputy secretary level in the Civil Service, which is €184,000. We have gone back out, using the Public Appointments Service, to conduct that recruitment exercise. The closing date for applications is today.

The Public Appointments Service has also appointed an executive service company to assist in the recruitment process and to look internationally at using its own contacts to see-----

**Deputy Cormac Devlin:** On that point, when did the contract go back out for the director?

**Mr. Mark Griffin:** We got Government approval for this in July. It was advertised a number of weeks ago, the closing date is 14 October 2021, which is today's date, with short-listing preliminary interviews to be held in November and, we expect, a final interview, which will be conducted by the Top-Level Appointments Committee, in early December, following which an offer can issue.

**Deputy Cormac Devlin:** I thank Mr. Griffin. On the timeframe, am I correct that the post was advertised in mid-September or thereabouts?

**Mr. Mark Griffin:** Yes.

**Deputy Cormac Devlin:** The only change was around salary and conditions. Is that not too long a timeframe given the sensitivity and urgency of this position? I accept that is the role of the Public Appointments Service and not Mr. Griffin. Given the national and international emphasis following the cyberattack on our health system and, potentially, as mentioned by

Mr. Griffin, 3,000 attacks last year and, potentially, an increase on that this year, I would have thought the process of filling a position of that importance, as well as the recruitment of the other staff to bulk up this extremely important centre, would have commenced the day after the position was declined by the other person. Would Mr. Griffin agree?

**Mr. Mark Griffin:** We were in the process of a capacity review as well, as I mentioned when we last met. We wanted to see from the capacity review where we stand now in terms of the size of the organisation, the type of functions it should discharge and the types of staff we would need to recruit. It was on the back of the capacity review, which was completed at the end of June, that we went to Government and set out the needs of the Department.

**Deputy Cormac Devlin:** That is correct. That was signed off in July. I am wondering what-----

**Mr. Mark Griffin:** It was signed off in July but these processes take time. In the interim, we have appointed an acting director of the National Cyber Security Centre. He is a competent and able individual who has worked in this area since 2012 and worked in the Department in this area since its inception and was deputy director of the national security assessment centre in the Department of the Taoiseach. He is in place in an acting director capacity. It is important, when running competitions of this nature at a senior level, that the integrity of the process is protected.

**Deputy Cormac Devlin:** Absolutely.

**Mr. Mark Griffin:** If you cut corners, you are at risk of not having a competition that is as robust as it needs to be.

**Deputy Cormac Devlin:** I accept that.

**Mr. Mark Griffin:** We are okay in terms of process.

**Deputy Cormac Devlin:** On the process, the position was advertised earlier this year, there was a further discussion around the post which ended in mid-July and it took until mid-September to re-advertise effectively the same post. This is not good enough given the sensitivity and scale of the attack on what is arguably our most important Department and potentially others.

**Mr. Mark Griffin:** I accept the Deputy's point of view, but he will have heard what I said in regard to the importance of the integrity of the process.

**Deputy Cormac Devlin:** I accept that.

**Mr. Mark Griffin:** On the 20 staff which the Deputy mentioned, again, we got a decision in July 2021 to move to recruit 20 additional staff by the end of 2022. That work is ongoing. A recruitment process for a number of these roles is under way through the Public Appointments Service. We have also sought expressions of interest through Civil Service mobility. A number of the roles have been advertised, with more to follow in the coming weeks. Again, it takes time to get the these people in a market that is really hot at the moment.

**Deputy Cormac Devlin:** I appreciate that. What is the interaction between the national security analysis centre - I do not want Mr. Griffin to comments on its role - and the National Cyber Security Centre?

**Mr. Mark Griffin:** The national security analysis centre in the Department of the Taoiseach

has the role of pulling together security and risk assessments across the State. It engages with the Garda National Cyber Crime Bureau and cybersecurity staff within the Defence Forces who have a broader national security role. The engagement is extensive, ongoing, comprehensive and effective.

**Deputy Cormac Devlin:** I thank Mr. Griffin.

There are three landfill sites remaining. I commend the Department on its work in light of the European Court of Justice ruling in years past and the cost it brought to the State. In regard to the 494 unregulated sites, what is being done to not only clean them up but to monitor them? Some of them are causing extreme distress to local residents given their unregulated nature. I note the Department spent €6.1 million on the environmental fund to local authorities. How is that being monitored?

**Mr. Mark Griffin:** As mentioned by the Deputy we have moved to a different situation to when we started dealing with this particular issue on foot of the European Court of Justice ruling. We have moved from 126 landfills to 43, have remediated 46 sites and have spent €170 million on that activity. As rightly pointed out by the Comptroller and Auditor General in the chapter presented this morning, there is a great deal more work to be done. Looking at where we were when the Comptroller and Auditor General issued his report, which I think was September 2020, 21 final certificates of authorisation have issued from the Environmental Protection Agency, which is a further eight, four draft certificates of authorisation decisions are due in 2021, 24 certificates of authorisation applications are pending final decision and a further 20 are expected to be submitted in the coming months. Progress is being made, but there is a great deal of work to do to address that outstanding issue. The other important bit is the work identified by the Comptroller and Auditor General as needing to be done, including risk assessments to be undertaken and certificates of authorisation to be prepared by the EPA. We have put in place a procurement framework, valued at €7 million over a three to four-year period. This will allow local authorities to draw down from the framework and to point to the sites in their areas in respect of which, based on the section 22 register, they have concerns. They can then do the risk assessment, identify the nature of the risk as being low, medium or high and identify the nature of the works, if any, to remediate so that we can constantly over the next few years move through the process, park the ones that do not represent a risk and focus the resources of the State on remediation of the balance of those that are still causing a problem from an environmental perspective.

**Deputy Cormac Devlin:** Thank you.

**Chairman:** I call Deputy Verona Murphy.

**Deputy Verona Murphy:** Good morning everybody. Thank you for attending. My first question is somewhat related to landfill. Mr. Nugent has corresponded with me previously in relation to legislation forthcoming for closed circuit television, CCTV, and general data protection regulation, GDPR, issues to be resolved, providing evidence for illegal dumping. Has there been any development on that? There is a massive issue with illegal dumping all around the country, in particular in Wexford.

**Mr. Mark Griffin:** I am more than happy to let the Wexford wing of the Department respond to that question. The short answer is “Yes” but I will ask Mr. Nugent to expand on it.

**Deputy Verona Murphy:** That is fine.

**Mr. Philip Nugent:** We have made significant progress since we last met. The circular economy Bill, which I mentioned then, is now at pre-legislative scrutiny stage before the Joint Committee on Environment and Climate Action. The second session of pre-legislative scrutiny is due to take place this evening. We are still working towards early enactment of the Bill to allow local authorities to get back to the use of CCTV, body cameras and other technologies that may come on stream to support them in their enforcement functions. We are still on track. We are conscious of the difficulties that has caused for local authorities and are committed to early resolution but we need that primary legislation first.

**Deputy Verona Murphy:** Does Mr. Nugent have a timeline?

**Mr. Philip Nugent:** Our objective is to have the Bill through all Stages in both Houses before the end of the year. That is dependent on the pre-legislative process but that is our objective.

**Deputy Verona Murphy:** My next question is in regard to the recycling bins that were to be rolled out across the country by June of this year. That has not happened. My apologies it is a compost bin, not a recycling bin.

**Mr. Philip Nugent:** We are working on that also and it is part of the Bill that I mentioned.

**Deputy Verona Murphy:** The Minister, Deputy Eamon Ryan, said on the floor of the Dáil that that was finalised and would happen in June. Does he need to correct the record on that? I am inundated with people looking for a compost bin.

**Mr. Philip Nugent:** I will have to come back to the Deputy on that, if that is okay. I will have to see exactly what the position is. As far as I understand it, collectors have complied with the obligations under the food waste regulations. The Minister, Deputy Ryan, may have been speaking about the commitment under the waste action plan for a circular economy, which talks about the universal roll-out of brown bins. I will have to check exactly what the Minister said and come back to the Deputy, if that is okay.

**Deputy Verona Murphy:** Please do, because it is not happening in Wexford.

I want to go back to the issue of national cybersecurity. I want to ask Mr. Griffin what key performance indicators, KPIs, the National Cyber Security Centre, NCSC, measures itself against.

**Mr. Mark Griffin:** I might let Mr. Ó hÓbáin come in on that issue. We have a strategy in place for 2019 to 2024 which sets out strategic objectives for the NCSC, with associated milestones and indicators. We have an interdepartmental committee in place, chaired by Mr. Ó hÓbáin, which oversees the implementation of the strategy and meets quarterly. We have an implementation plan in place to deliver the capacity review of the NCSC itself.

**Deputy Verona Murphy:** Maybe I should have asked this question first. How do the staffing levels and the financial resources of Ireland's National Cyber Security Centre compare internationally? Perhaps Mr. Griffin can explain the KPIs after that.

**Mr. Mark Griffin:** I will ask Mr. Ó hÓbáin to come in on the strategy and maybe talk about the KPIs in a moment.

**Deputy Verona Murphy:** And then the international comparison.

**Mr. Mark Griffin:** As part of a capacity review, we got in external consultants to advise us on this. They work internationally so they have a very good sense of what is required in terms of the nature and scale of cybersecurity centres, having regard to the sort of threats that exist.

**Deputy Verona Murphy:** When was that?

**Mr. Mark Griffin:** That had regard to the functions that they discharge for State entities and operators of essential services, including a number of those operating within our own State. They did look internationally. They made a call on what it is that the capacity review should look at.

**Deputy Verona Murphy:** Were the consultants brought in before or after our cyberattack?

**Mr. Mark Griffin:** They were actually working on the capacity review. The cyberattack was in May. They had started work on the capacity review pre-Christmas 2020, that is, at the end of 2020. Having regard to what they see internationally, they would have said this is a core group of staff who are highly skilled and hard-working, with a deep knowledge of the sectors in which they operate, but that there is a need to scale up. What we have seen since then is the Government response in July of this year, which involves moving from 26 or 27 staff at that stage to 70 within five years. Money is being provided for this in 2022 and our view is that we need to move more rapidly. The consultants had said we should go to 41 by the end of next year, and as we have actually said we should add on 20 staff, we will be going about five beyond that.

On foot of the capacity review, and seeing what we are seeing now in the cybersecurity space, we will keep re-looking at this and make calls along the way as to whether what the international consultancies have advised is still fit for purpose in a year's time or two years' time. On the issue of resources for the centre, I know for a fact we will not have a problem in securing additional resources, if that is required. As of now, we are in a good place in terms of where we need to move to and having clear lines of sight on that.

**Deputy Verona Murphy:** I want to go back to the KPIs.

**Mr. Mark Griffin:** I ask Mr. Ó hÓbáin to comment on that.

**Mr. Ciarán Ó hÓbáin:** At a strategic level, the strategy sets out 20 actions that are required to be delivered in Ireland over the period of the strategy from 2019 to 2023 in order for us to be fit for purpose.

**Deputy Verona Murphy:** Is it possible to have a copy of those submitted to the committee? Obviously, it will not be possible to go through what they are in two minutes but I would be grateful if they could be submitted to the committee.

**Mr. Ciarán Ó hÓbáin:** The strategy itself is published but we will include it in the correspondence back to the committee.

**Deputy Verona Murphy:** Thank you. I want to go back to point 4.3 of the appropriation accounts, which refers to extra receipts payable for the emissions trading system, ETS, emissions targets. Will Mr. Griffin explain how that occurred?

**Mr. Mark Griffin:** These are Exchequer extra receipts from the auction of allowances by the EPA, and the EPA administers the EU emissions trading system and acts as an auctioneer for Ireland. The revenue generated in the Exchequer extra receipts is actually revenue from



the auctions undertaken by the EPA which comes back into the Central Fund and which is not hypothecated but is allocated notionally to climate-related activities. For example, the SEAI programmes and school transport are programmes that would-----

**Deputy Verona Murphy:** Is there anything on sequestration or anything like that?

**Mr. Mark Griffin:** There is. Some of the moneys have been allocated to afforestation and energy.

**Deputy Verona Murphy:** What about hedgerows?

**Mr. Mark Griffin:** I do not know whether, in the afforestation piece, which is just a general category that is described in the information I have, money has been allocated to hedgerows. The important comment to make is that this is a notional allocation. We are not saying a chunk of money from the ETS has been specifically assigned to support these activities but, from an accounting perspective, these are the activities against which the funding has been assigned.

**Deputy Verona Murphy:** I ask for a breakdown on how the figure is compiled and whether hedgerows are included.

**Mr. Mark Griffin:** I will give the Deputy a breakdown on how the process works in terms of the EPA discharging its function in this area, the level of receipts we have secured over the last number of years and how they are notionally allocated. It is a complex area.

**Deputy Verona Murphy:** I am sorry but I am out of time.

**Chairman:** I will allow the Deputy back in shortly, if possible. If not, we will get the information in writing. I call Deputy Alan Dillon.

**Deputy Alan Dillon:** I welcome the witnesses. An important issue in the constituency I represent is the national broadband plan, which has shone a huge spotlight on the digital divide between our urban areas and rural areas. I ask Mr. Griffin what the Department paid to National Broadband Ireland, NBI, in 2020 and what contract milestones NBI met to receive this figure.

**Mr. Mark Griffin:** The money paid in 2020 was about €42.5 million. That is spread across a number of contract milestones and would include payments for procurement of materials, such as fibre, payment of contractors and subcontractors and payments for the survey and design work on the network. As I mentioned, we have 250,000 premises surveyed on current figures and 220,000 designs. Those are the current figures. Moneys would have been paid for the successful completion of deployment areas. In addition, as I mentioned, 110,000 premises are under construction, 7,000 premises are ready for service, a further 10,000 are at the pre-order stage and 376 BCPs have been connected. Effectively, therefore, that is payment for work done and as set out in the contract, which clearly defines what the company gets paid for.

**Deputy Alan Dillon:** Has NBI met all its contract milestones to date in 2021? What has it received for that period?

**Mr. Mark Griffin:** For 2021, the amount paid is €89.8 million. The contract milestones were achieved but against a backdrop of a remedial plan that we agreed with NBI on foot of discussions with it, including the difficulties experienced with Covid-19 and the change request put in place in that regard. I ask Mr. Mulligan to comment on how we have settled on a new set of milestones for 2021, the basis for that and the process followed in arriving at that outcome.

**Mr. Fergal Mulligan:** I apologise to everyone for my connection. Everyone will be glad to hear that NBI will, hopefully, be giving me fibre in the next few months. I am one of those 60,000 people who will be connected by the end of the year. Next time around, then, I should have a much better connection.

The milestones are split into those concerned with the design and build and then the connection of the network. The milestones to date have all been achieved, including the connection of over 370 BCPs to schools. The-----

**Deputy Alan Dillon:** What are the criteria used to determine the milestones? Mr. Mulligan stated that they have all been achieved for 2020.

**Mr. Fergal Mulligan:** The criteria are based on the contract set out and published. There are 227 deployment areas up and down the country. NBI gets paid in respect of each individual deployment area for the successful design upfront of that area and then for the successful completion of the build past premises. The company also gets payments for connecting premises. Those are the three most substantial payment criteria. The Department oversees the design of the network. The design of the network means ensuring all the equipment is in place, as well as the requisite design of the pole and duct network. That allows the subcontractors and Eircom to have the equivalent of the architect's designs for a house and to be sure that those are fit for purpose. We oversee that aspect. When we are satisfied on an independent level that the design is fit for purpose, that situation is then also certified by an independent certifier who is qualified in that business. When that process is all done and dusted, and we receive the certificate, NBI can get paid. That process will continue for the next ten years on the build and connections side of things. It is a quality control system to ensure the work is done and done to the quality required and the work is certified as being payable.

**Deputy Alan Dillon:** What happens when NBI does not meet its milestones as set out in its original plan?

**Mr. Fergal Mulligan:** Several consequences will result from NBI not meeting its milestones. The first is that as a commercial company it is going to lose revenue from customers because it is delayed. In addition, delay payments are included in the contract and that provision kicks in from 1 February 2022. If NBI is delayed in meeting its milestones, there will be daily delay payments of X number of euro up to a given amount. The company will get a penalty for any day it is late in meeting a milestone. That will start from next year. Given Covid-19 and its impact, NBI has not been delayed so far in meeting any of the milestones in 2021. That is because under the contract, it is permissible to seek relief as a contractor. We provided that relief because NBI demonstrated to us that it was delayed for all the different reasons relevant to Covid.

**Deputy Alan Dillon:** Was it not communicated that NBI was six months behind in its roll-out?

**Mr. Fergal Mulligan:** It has been and that is what we approved in our review of the remedial plan with NBI in March 2021. As of today, NBI is six months behind in its network roll-out. We are trying to establish now whether the company can catch up on that six-month delay. The company is not paying delay payments now because the other contract does not start until February 2022.

**Deputy Alan Dillon:** Is the Department therefore letting NBI off the hook on this occasion?

What are the implications if the company misses further milestones as part of the remediation plan?

**Mr. Fergal Mulligan:** If NBI misses further milestones under the plan from February 2022, those delay payments will apply each day. A financial penalty must be paid for each day that the company is late from that point onwards. I reiterate that NBI, as a commercial company, also suffers two other non-contractual financial penalties that are far more severe. Every month that NBI is delayed in meeting its targets will mean less revenue coming into the business and that will result in its profits being lower. In addition, the working capital requirements of the company are more severe and they need to reach those requirements. NBI will therefore face significant business implications if there are delays with this build, as well as the contractual implications. The other key performance indicator that we have for NBI measures network performance. It includes any outages, on a BCP, for example. If one of those went down between 2 p.m. and 4 p.m., significant service deductions and performance indicators exist in that regard. Again, they have been in place since last year and they will be in place for the 25 years.

**Deputy Alan Dillon:** Regarding the remediation plan, what engagement is the Department having with additional companies or contractors to speed up the process? The feeling on the ground is that it is going to take five or six years before some premises get connected. The website has been updated to reflect that timeline. Many Eircode areas are moving out of one deployment area and into another, without notification, and that is causing major anxiety to many people. I wish to get an understanding of what the Department's input is in ensuring we get the fastest roll-out possible.

**Mr. Fergal Mulligan:** We are acutely aware of the frustration of people up and down the country who are not included in the roll-out over the next year to two years and beyond. It is critical that we look at that aspect. As Mr. Griffin said, we have nearly 50 people working on this programme in the Department and we are working diligently every week with the NBI team. The contract is with NBI, which is negotiating with every subcontractor - Eircom, Enet and any other company that it can get its hands on - to help to speed up this roll-out. The process is ongoing. NBI has a dedicated team dealing with those negotiations. A successful outcome has already been achieved in the negotiation with Eircom. From October this year, Eircom has ramped up the speed of upgrading the pole and duct network. That will set the platform for all other increases in capacity and speed that we hope to achieve. The priority now is to make up the ground lost to the impact of Covid-19, and we hope to do that over the next year. Beyond that, the absolute priority is to hasten the deployment scheduled for 2024 and 2025. We are working on that now.

**Deputy Alan Dillon:** I will come back in on the number of premises passed and those available for connection.

**Chairman:** I will allow the Deputy to come back in. I must try to stick to the ten minutes to allow all members to contribute. Deputy McAuliffe has not joined us yet and Deputy Sherlock is held up in the Chamber. I call Deputy Catherine Murphy.

**Deputy Catherine Murphy:** I welcome the witnesses. I always watch out for language in opening statements and some things jumped out at me. I have a different description of some terms. Fiscal transfers, for me, are penalties for not achieving something. Regarding recalculation, NBI has missed its targets. Turning to savings, those came from unspent moneys in programmes that were necessary, but I will be fair and say that Covid-19 has been a significant issue. Those kind of things jump out at me. I will start with broadband and will make the

point that others have made, which is that the intervention area is one thing but it is far from perfect in other areas, including my area. There was a concern from the outset about National Broadband Ireland's ability to deliver. Can the Department provide us with a note on what exactly was recalculated in the targets? My understanding is it will miss the targets for this year that were originally set out in the contract. What were those targets and how far short of those targets will it be?

**Mr. Mark Griffin:** The targets for this year were 115,000 and at the end of contract year 2, the equivalent would be 60,000. I take the Deputy's point and there is no effort on my part to use clever language in an opening statement to duck the fact that we are behind in the project. Every one of us in the Department who is engaged in this is acutely aware of how important this is in rural Ireland, more so now that we have been through a year and a half when the vast majority of office workers and primary, secondary and third level students have been working from home. We feel the anxiety to get this project delivered as quickly as we possibly can. In fairness to the company, I covered a bit of this in the opening statement but it was elaborated on when the company appeared before the Joint Committee on Transport and Communications on 15 September, it had a situation at one point where 40% of its staff in one of its main subcontractors either had Covid or were close contacts. That is the reality of the situation it has dealt with on the ground.

**Deputy Catherine Murphy:** The Department might give us a note on that. I am not on that committee so I did not have the benefit of that engagement and with the best will in the world, we cannot cover everything but we are at the Committee of Public Accounts today. The Department might give us a note on what has been recalculated and on what efforts are being made to catch up on the targets. I had big issues-----

**Mr. Mark Griffin:** I can tell the Deputy about some of the efforts-----

**Deputy Catherine Murphy:** -----with this contract but I have no issue with the broadband being rolled out.

**Mr. Mark Griffin:** It is looking at taking on additional subcontractors, scaling up internally and as Mr. Mulligan said, implementing a more extensive make-ready programme where the deal is being done with Eir such that it will have more people deployed in going out and doing the work that needs to be done to unblock ducts, put up poles and string cable. All of that is part of the programme to get us back to where we need to be, having regard to the original target at the end of 2021. The other aim is to see where we will be at the end of 2021 and where we expect to be at the end of 2022. Final figures have yet to be agreed between ourselves and the Department-----

**Deputy Catherine Murphy:** I have little time and I have questions I want to ask Mr. Griffin, so I would prefer to get a note on the efforts that are to be made.

**Mr. Mark Griffin:** That is fine.

**Deputy Catherine Murphy:** The Department has a regular update meeting with ComReg. Have any issues of concern or issues that are in need of addressing been identified to ComReg and has the Department disclosed any issues to ComReg during those meetings?

**Mr. Mark Griffin:** I will let Mr. Ó hÓbáin and Mr. Mulligan come in on this but ComReg does not regulate NBI because NBI does not have significant market power. That is why the Department has a scale of resources internally to do that work. There are broader discussions

on issues. For example, ComReg is working on the cost of pole and duct rental and decisions are being made on that which we hope will have a positive impact on the overall costs of the programme over the next 25 years. Would Mr. Ó hÓbáin or Mr. Mulligan like to come in on that point?

**Deputy Catherine Murphy:** I would be happy to get a note on that as well. I have only four minutes left and I have two further areas I want to cover. We know Moneypoint is back online because of the issue with energy at the moment. What impact will the continued burning of fossil fuels have on the purchasing of statistical transfers to meet the obligations under the renewable energy directive? Will there be additional liabilities as a consequence of that?

**Mr. Mark Griffin:** I do not believe there will. On the burning of fossil fuels, the greatest impact will be on our CO2 emissions reduction targets for 2030, which is a 51% reduction. It will not affect the issue of statistical transfers. Moneypoint and Tarbert have been on the system in recent months as a function of reduced wind levels, the like of which we have not seen since 1961. We have the lowest level of wind in this part of Europe since then but it will not impact on the statistical transfers.

**Deputy Catherine Murphy:** I want to move on to landfill. Mr. Griffin and I have had this conversation before because Kildare is a particular case in point and we have one of the three super dumps or landfills as they are called now and an application was made to An Bord Pleanála for a big expansion. The last time we met or the time before Mr. Griffin told us we were on a knife-edge in where waste is disposed of. We have convoys of trucks from all over the place arriving to Kildare to the Drehid landfill because there is no landfill nearer to them. Whereas a rosy picture is presented, it is far from that when one happens to be beside a gigantic landfill. Where are we in our capacity to assimilate waste? We are not producing less of it. Where is it going? What lifespan is left in the other two landfills? Is it going to incineration?

**Mr. Mark Griffin:** The bulk of it is going to waste recovery in the Covanta plant in Poolbeg. The three other plants, including Drehid in the Deputy's constituency, Knockharley and Ballynagran are also taking in significant quantities of residual municipal solid waste. I do not have information handy to me on the lifespan of those three landfills. Perhaps Mr. Nugent can provide some information on that but we can follow up on the matter with the Deputy.

**Deputy Catherine Murphy:** Is it the case that, for example, the Ringsend plant is taking a significant amount more or else penalties are paid if it does not reach a certain target? Is that plant taking waste from Munster and Connacht as well as Leinster?

**Mr. Mark Griffin:** Is that Drehid?

**Deputy Catherine Murphy:** We know Drehid is but I am asking about the Covanta plant.

**Mr. Mark Griffin:** The Covanta plant takes waste from across the country.

**Deputy Catherine Murphy:** It has to arrive there in bin trucks to be disposed of.

**Mr. Mark Griffin:** Correct.

**Deputy Catherine Murphy:** It does not appear to be the most efficient way of dealing with waste if a load of rubbish is collected in Kerry and driven to Ringsend to be disposed of.

**Mr. Mark Griffin:** I am telling the Deputy something she knows already but this is a contested space and there have been difficulties over the years with putting in place alternative

waste recovery infrastructure, the most recent one being in Cork, where the decision of An Bord Pleanála is being remitted back to it to be considered from 2017 onwards. It is a highly contested space but the reality of the situation is that we have three landfills and a waste recovery facility in Poolbeg. The bulk of the waste from the State is managed by those four.

**Deputy Imelda Munster:** I wish to touch on energy supply and demand, and blackouts, but only in regard to a failure to meet demand as opposed to a natural event such as storms, hurricanes and so forth. When was the last time the State had an electricity blackout because of inability to meet demand? Did supply meet demand throughout the 1960s, 1970s and 1980s?

**Mr. Mark Griffin:** I do not know the answer to that. If the Deputy is asking for the date of the last blackout, I do not have data.

**Deputy Imelda Munster:** Maybe Mr. Griffin will furnish that data at a later date. Does Mr. Griffin believe there may be blackouts this winter due to issues meeting demand? The context for this question is at the end of September, the Taoiseach said that the Government would make every effort to avoid blackouts, the Tánaiste said he was confident but could not guarantee there would not be, and the Minister for Environment, Climate and Communications, Deputy Ryan, said he could not be absolutely certain. Does Mr. Griffin believe that there may be blackouts this winter because of the issues?

**Mr. Mark Griffin:** I am going on the basis of what experts in the area and who are responsible for it, EirGrid and CRU, have said. At their recent appearance before the Oireachtas joint committee on 5 October 2021, the CEO of EirGrid said that with the two plants coming back on, the completion of a substantial degree of maintenance works that had been deferred into this year due to Covid-19, and the work that EirGrid has done with the large energy users, he was confident that we would not have blackouts over the course of the coming winter.

**Deputy Imelda Munster:** It is not an absolute guarantee given the figures. Does Mr. Griffin know what the current energy demand in megawatts of data centres is? What is that as a percentage of total energy usage?

**Mr. Mark Griffin:** I do not have that to hand but I can get it. I know they have accounted for about 11% of energy use in 2020. Our overall energy use in 2020 was about 5,300 MW at absolute peak. So that is peak, but you have to look at the average across a typical period.

**Deputy Imelda Munster:** EirGrid said that the current usage is set to triple with existing applications.

**Mr. Mark Griffin:** It is set to rise to about 27% of total demand by 2030. The broader question that the Deputy might ask is: what are we doing about it? That is the key bit, in terms of the short, medium and longer term.

**Deputy Imelda Munster:** Yes, that is something I am going to get to. There was an internal EirGrid document last May, which stated in regard to the data centres currently in the planning process, and assuming they all go ahead, total demand from them will be just under 70% of our current peak demand. Is that not frightening?

**Mr. Mark Griffin:** Yes, the CEO of EirGrid clarified that during the hearing on 5 October 2021. He said the figure he was more comfortable in discussion because he believed it to be a far more accurate representation of the likely situation in 2030 was the 27% figure. He addressed that during the committee meeting. I cannot say precisely what he stated but the gen-

eral thrust of his comments was that the figure we should focus on is the 27%, and how we deal with that.

**Deputy Imelda Munster:** From Mr. Griffin's engagement with EirGrid, how would he describe their confidence that blackouts could be avoided this winter. Is he comfortable that EirGrid is confident blackouts will not happen?

**Mr. Mark Griffin:** They were. There are always a set of circumstances that might lead to a situation where there is a temporary loss but they have a suite of mechanisms in place that if something were to happen, here is what we do in terms of pre-planning, dealing with the situation and how we respond to the outcome of that. The CEO was quite clear in his statement on 5 October at the committee that he did not believe there would be any blackouts, to use that term, over the coming winter.

**Deputy Imelda Munster:** Mr. Griffin is saying that even 30% is an acceptable level, when we run the risk of blackouts. Does the Department believe that there is any validity in a moratorium on new data centres?

**Mr. Mark Griffin:** A moratorium is a bit blunt. It is important to step back and recognise the importance of data centres in the functioning of daily life in Ireland and throughout Europe at the moment. The majority of things that we do is data-driven. They have a huge value in terms of that specific aspect-----

**Deputy Imelda Munster:** Is Mr. Griffin saying that he would not believe there is any validity in a moratorium on them?

**Mr. Mark Griffin:** I do not think a moratorium is the right term or the right tool to use. We should be looking at what national policy is on data centres. There is a 2018 policy led out of the Department of Enterprise, Trade and Employment. We will review that. There will be a commitment in the climate action plan that will be published in the next few weeks to review the policy. One of the measures that has been floated has been consulted on by the regulators over the past while, I expect there will be a decision in the next few years around locational issues in that data centres will be located close to renewable energy where there is less pressure on the grid and where demand can be more easily catered for.

**Deputy Imelda Munster:** In my home town there is a data centre being built at the moment and there are applications in for a further two. Water supply is not up to capacity. Mr. Griffin is talking about further down the road, but we have a much higher percentage of data centres than any other state in Europe. I want to come back to him regarding Eirgrid. I spoke to one EirGrid employee who described what was occurring internally on data centres being the cause of mass panic, regardless of what the Department has been assured of. That mass panic related to security of supply and they were placing the blame on issues of reliability regarding wind, the premature closing of peat burning stations, and particularly data centres. How would the Department respond to those fears?

**Mr. Mark Griffin:** "Mass panic" is not a term that has been used to me, by the CEO-----

**Deputy Imelda Munster:** He is hardly likely to use it. I am saying this is coming internally from employees.

**Mr. Mark Griffin:** I accept that. If the Deputy was to ask me am I concerned, I would say the answer is "Absolutely, yes". The Department has been extensively and heavily engaged at

my level with the regulator and with EirGrid over the past number of months. We have been looking at this very closely. There is a range of issues that the Deputy has rightly called out, including increasing demand, closure of older plant, lower availability of existing plants because of either scheduled or-----

**Deputy Imelda Munster:** Despite those concerns, Mr. Griffin does not believe there is any validity in bringing in a moratorium on new data centres until we have the research done and we are confident in supply. If this goes belly-up, we are facing blackouts and water shortages. Is it not more prudent to say we will have a moratorium until an impact assessment is done? If Mr. Griffin is saying it is coming from his Department that he does not think there is validity in that, I would be extremely concerned.

**Mr. Mark Griffin:** These are policy issues to an extent. I will just repeat what the Minister said in the Dáil recently when he said he did not believe that a moratorium was appropriate. I think we need to look at this in the round. I do not want to give the Deputy an idea for a moment that we are kicking the can down the road on this specific issue because we are not. There will be a decision by the regulator on a revised connection policy on data centres by the end of the year. We will move really quickly to revise the 2018 policy statement. We have identified a suite of measures that have been articulated in the public domain by the regulator and by EirGrid, and, like every set of measures, they are constantly reviewed. We are meeting with the regulator and asking where they are at, what is happening now and what steps need to be taken. There is very strong governance in place so it is not-----

**Deputy Imelda Munster:** I do not know that there is very strong governance in place. I will give Mr. Griffin the example of where multiple applications are made in, say, Drogheda. There is no impact assessment taken regarding how many data centres are in one area and what impact that would have on supply and demand. That is just crazy stuff.

**Mr. Mark Griffin:** Some of those issues the Deputy described are a matter for the planning authority. The final piece of the jigsaw that I will put on the table now is that we are developing a policy, which we will finalise shortly, on security of supply, and it will be one of those policies that An Bord Pleanála and other consenting authorities will be required to have regard to in any decision-making process.

**Deputy Imelda Munster:** Is that perhaps not a little bit too late?

**Mr. Mark Griffin:** No, I do not think it is. That formal policy will be settled very shortly, however. Taken with the update of the grid connection policy and with a clear line of travel with regard to Government policy and data centres, that package, together with the other measures that have been identified in the plan of action, will allow us to manage the situation with a greater degree of confidence.

**Deputy Imelda Munster:** Mr. Griffin can, however, understand-----

**Chairman:** I am sorry, Deputy. I will break now if people want to get refreshments.

**Deputy Imelda Munster:** Okay.

**Chairman:** We will resume in approximately five minutes.

*Sitting suspended at 11.02 a.m. and resumed at 11.10 a.m.*

**Chairman:** The next committee member to speak is Deputy Sherlock but he has not joined



us yet so we will move on to Deputy Colm Burke.

**Deputy Colm Burke:** I thank the guests this morning for their presentation. I had better turn down my monitor. I had it on because I am due to speak in the Dáil. In respect of the roll-out of hubs in rural areas, which I know is not necessarily under the Department's remit, we now see a great delay in the roll-out of broadband connections. We are way off target. I wonder about ways to deal with that issue. In one area in my constituency, there are more than 900 children who go to primary school. Despite this, a large part of the area does not have any broadband. We are looking for a broadband hub to be put in the immediate area. The roll-out of hubs is very important to give people access to broadband services. How can we reconsider this whole area and fast-track it because there are so many people working from home who cannot get access to broadband services?

**Chairman:** Is the Deputy's question for Mr. Griffin?

**Deputy Colm Burke:** Yes.

**Mr. Mark Griffin:** Can the committee hear me? Yes. I am sorry. The technology is not just problematic in Wicklow, but up in Adelaide Road as well. I should be clear that is Adelaide Road not Adelaide Street.

On the issue of hubs, we had set out with a view to putting in place 284 broadband connection points. These were public points. As of 1 October, 238 were connected, 219 of which were connected through the Vodafone methodology. We expect to have the full 284 connected by the end of the year. A broader programme is being led out of the Minister, Deputy Humphrey's Department, the Department of Rural and Community Development. I refer to the connected hubs initiative. A great amount of work is being done by the Western Development Commission and the Atlantic economic corridor group. We will have the 284 fully done by the end of this year. National Broadband Ireland, NBI, delivery for 200 primary schools will be fully completed by the end of this year.

**Deputy Colm Burke:** I am sorry for interrupting but my question was, as we are way behind in the broadband connection roll-out, do we now need to revisit the roll-out of hubs and put major effort into rolling out double the number in the group? That is my point.

**Mr. Mark Griffin:** The contract would allow such a scenario if the view locally and in local government was that such a thing was required, having regard to-----

**Deputy Colm Burke:** It is required because areas which were to be connected have not even been inspected. Can we not now prioritise the roll-out of hubs so that more people can get access? Since this plan was drafted two or three years ago, the whole landscape has changed because of Covid. We therefore need to review policy in both Mr. Griffin's Department and in the Department of Rural and Community Development. That is basically what I am saying.

**Mr. Mark Griffin:** I will accept the Deputy's view on that. On the 284, now that the connection has been provided, it is key that they are equipped with the necessary internal services to allow people to work from home. A budget of €5 million was allocated by the Department of Rural and Community Development in recent months. This will allow many of those broadband connection points to be provided with those internal services to allow people to work from home. I do not know whether-----

**Deputy Colm Burke:** I am sorry but I can identify 25 parishes in rural areas of my constitu-

ency that do not have broadband and they are not even being inspected at the moment. They will not be touched until 2025. These areas are within an 18-mile radius of Cork city. That is the reason I am getting concerned about this. I fully accept that broadband is being rolled out in Carrigaline, Midleton and the areas around them but the areas I am talking about are all within 15 or 18 miles of Cork city.

**Mr. Mark Griffin:** I understand that. There are two issues involved. This is a seven-year programme so it was always going to take time to roll out broadband to different locations in the country. The nature of the way the roll-out is structured means that a location being within a 20-mile radius of a city is not necessarily the driving factor with regard to the timeline for the roll-out of broadband provision to premises in the area. Mr. Mulligan may wish to comment on the specific issue of broadband connection points and what the contract allows with regard to putting more in place over the earlier years of the contract.

**Mr. Fergal Mulligan:** I will come in quickly. There is absolutely an openness and a willingness to roll-out more broadband connections points. I emphasise that, if there is no broadband connection point in close proximity to the areas and premises the Deputy has mentioned, the local community can go to the local broadband officer in Cork. With the community, that officer can select a particular building, perhaps a community hall or parish hall, which locals feel could be fit for the purposes of remote working or studying and then engage with the Department of Rural and Community Development and our Department. We will then get that building connected, over and above what we have already done. That door is wide open if there is a suitable building in particular area. We can engage directly through National Broadband Ireland but it does not necessarily have to be done through NBI. The Department of Rural and Community Development is engaged with many companies to address the need the Deputy has mentioned, if a suitable building is available. I emphasise the need for the local community to come forward with that building to take up that option.

**Deputy Colm Burke:** We have done that. Just as a start, I have identified three buildings. In one case, funding has already been secured from one of the local development companies, so the funding is available. We are finding that the response is extremely slow. This is an area in which, as I said, there are 900 children in the local primary schools. There are also a lot of people who are now working from home because they have young families and so on but they cannot get broadband. I am looking for that to be reviewed and for that to be dealt with in a timely manner, rather than having to wait until 2025.

May I raise one other issue? It relates to areas which are on the borderline between areas zoned as blue and areas zoned as amber. I know of a number of cases, including one case where broadband is available in an area but Eir will not connect four houses which are within 100 yd of that area. Can we not engage with Eir where there is a borderline between blue and amber areas to connect houses that are close together?

**Mr. Mark Griffin:** Again, I am going to ask Mr. Mulligan to come in on that because I know that there has been some discussion with NBI on dealing with the type of issue, as described by Deputy Burke, and also a different type of issue, though related, that Deputy Carroll MacNeill raised this morning.

**Mr. Fergal Mulligan:** It is a common question across every single part of Ireland. There are always a few houses next door to other houses that have a fantastic fibre connection from Eir, and soon they will also have a fibre connection from National Broadband Ireland, and until 100% of the country is done that will always be the case.

What NBI has done, with a lot of pressure from ourselves, is to engage with Eir and other operators to see if there is something that can be done in the interim to get to those homes faster where they are just on the edges, as we call them. These are homes that are contiguous with the blue areas or even within the blue areas there are amber homes, little pockets of them, as one can see on the map. They went to tender to the market because, I suppose again, we asked them to go to the market to get the best offer and get the best solution. Eir is one of those companies that may be able to address those premises quicker through NBI. So that is a work in progress. We expect to make a lot of progress in the next three to six months where NBI will be coming forward to us with a solution to those pockets of premises which, heretofore, could be on the long finger into the next two or three years.

**Deputy Matt Carthy:** I thank our guests for being here. I want to touch on the national broadband plan again. The €3 billion contract is for the delivery of high-speed broadband to 542,000 rural homes and businesses. On what date does the Department expect the 542,000 home to be connected?

**Mr. Mark Griffin:** It is still a seven-year contract, Deputy. So, as we mentioned this morning, the work now is focused on achieving the revised target for 2021 settling on a target for 2022 with NBI. They have said to us a minimum of 130,000 cumulative but aiming for more than that and they have that in the JLC.

**Deputy Matt Carthy:** I will discuss this year and next year but what is the final target?

**Mr. Mark Griffin:** It remains seven years. We have already had conversations with National Broadband Ireland with a view to developing an acceleration plan and bringing forward the premises that are in years 6 and 7, and into the first five years.

**Deputy Matt Carthy:** I will come to that. So the original target for this year was 115,000 connections.

**Mr. Mark Griffin:** Correct.

**Deputy Matt Carthy:** That was revised-----

**Mr. Mark Griffin:** Yes.

**Deputy Matt Carthy:** -----to 60,000. Am I correct that the Secretary General has now informed us that the figure has been revised to 50,000?

**Mr. Mark Griffin:** No, no, 60,000.

**Deputy Matt Carthy:** So 60,000 remains the target for this year?

**Mr. Mark Griffin:** Yes.

**Deputy Matt Carthy:** To date, what is the number of connections that have been made this year?

**Mr. Mark Griffin:** There are 27,000 available for order or pre-order.

**Deputy Matt Carthy:** This work was deemed essential throughout Covid. I gather from earlier statements by the Secretary General that close contacts within the workforce carrying out this work were actually responsible for the Covid-related delays with the roll-out. Is that correct?

**Mr. Mark Griffin:** No. I mentioned that as an example of the challenges that the company face but there were supply chain and logistic delays both nationally and internationally. One of the contractors that had intended coming over from the UK to start work on the project postponed establishing its Irish operation; recruitment and the onboarding of key staff was delayed; as was travel and availability of accommodation for contractors across islands, and access to islands in some schools for the installation of BCPs. So there was a whole swathe of problems, Deputy, that led to a situation.

**Deputy Matt Carthy:** Does the Secretary General know how many outbreaks there were among NBI crews?

**Mr. Mark Griffin:** No, I do not. In fact, in fairness, that is not the sort of information, even if I knew it, that I would share but I do not know it. That is a matter for NBI. It is a matter for NBI contractors and it is a matter for the individuals concerned.

**Deputy Matt Carthy:** It is also a matter for the tens of thousands of people who thought that they were going to be connected to the plan this year but who are not.

**Mr. Mark Griffin:** I appreciate that, Deputy, but that sort of information is not the sort of thing that I would be willing to share even if I knew it.

**Deputy Matt Carthy:** The Secretary General mentioned that a British company outsourced. Do we know what percentage of the works have been outsourced to the company that was not in a position to travel over?

**Mr. Mark Griffin:** I do not. The intention had been to bring them in to scale up the build operations and the make-ready operations. As I understand it, Mr. Mulligan, that did not happen.

**Mr. Fergal Mulligan:** Yes.

**Deputy Matt Carthy:** Is it because the company is not now being used?

**Mr. Fergal Mulligan:** The initial plan in 2020 was that NBI would have three main contractors on board - KN networks, Kelly from the UK and Actavo. Kelly did not come in so one-third of the work was going to go to them for the first year or two if they won certain tenders that NBI issued but that did not come to pass. For the other contractors, they currently have four big contractors on board since then. So they have ramped up the number of contractors to make up for the lost ground of Kelly not coming into Ireland.

**Mr. Mark Griffin:** The important thing to say, Deputy, here is that we do not accept what NBI says at face value. There is a very comprehensive governance arrangement in place overseeing the project. So when they look for a relief under the contract there is a process that is undertaken with great rigour by staff in the Department and by the external advisers to see, well, first of all, does this qualify for relief under the contract and does it qualify for relief to the extent that NBI have set out. We would scrutinise and contest every line of argument or every proposition that NBI have put forward which they deem to be an event which, under the contract, allows them to seek relief.

**Deputy Matt Carthy:** The Secretary General will appreciate that we, in turn, will scrutinise the Department's scrutiny of them.

**Mr. Mark Griffin:** Of course. Yes, I accept that.

**Deputy Matt Carthy:** Next year's target is quite concerning considering that we are way beyond the original target for 2021. Next year's target has been revised down from 90,000 to 84,000 connections. It appears to me that Government statements are relying heavily on the figure of 130,000 homes and businesses across this year and next year as the overall target. What is the actual target for connections for next year? Is it 84,000 connections?

**Mr. Mark Griffin:** The cumulative is 130,000 and that would be based on a 70,000 figure for 2022 but NBI is saying that they are looking at a figure of 70,000 to 84,000 in 2022 so hitting a rate of 7,000 homes passed and connectible per month during the course of 2022. Again, that is something that is being scrutinised by the governance team in the Department.

**Deputy Matt Carthy:** Am I correct to say that the company has established 84,000 connections and the Department is establishing 70,000 connections as the target for next year?

**Mr. Mark Griffin:** No. What they have said is a range of 70,000 to 84,000. The due diligence is being done by the team of the Department in relation to the figures that they have mooted. Mr. Mulligan, are we still waiting for a final proposition from NBI in terms of the 2022 output?

**Mr. Fergal Mulligan:** No.

**Deputy Matt Carthy:** The original target for next year was 90,000.

**Mr. Fergal Mulligan:** Sorry, Deputy, the original cumulative target, in terms of how the contract works, was just north of 200,000 for 2022 under the original contract. Now they are saying they are hoping to get to at least 150,000 but aiming for a lot more. Obviously that is the ambition. There is a six-month delay, essentially, just maintained in their current plan. They have not made up lost ground so there is no change to that plan from the NBI.

**Mr. Mark Griffin:** And that 200,000 is a cumulative figure from the start of the contract.

**Mr. Fergal Mulligan:** Yes, exactly.

**Mr. Mark Griffin:** Yes.

**Deputy Matt Carthy:** There has been a change. The new revised targets are about half of the original targets in terms of the homes and businesses that will be connected this time next year.

**Mr. Mark Griffin:** If one is looking at a cumulative 200,000, we are looking at minimum 130,000 in excess of that so it is not half. It reflects the requirement of the company to make good what it lost in the period so far in Covid, to build a momentum and then put us back in a trajectory in 2023 where we have certainty on the delivery of the project within the timeline specified and where real conversations can be had on the ability to accelerate to a shorter period of time.

**Deputy Matt Carthy:** What happens if the company does not deliver 130,000 by the end of next year? What is the penalty?

**Mr. Fergal Mulligan:** From 1 February next year, there will be penalties for every day a milestone is missed. What we are engaged in right now is nailing down the plan for 2022 with the company to make sure it can achieve the 130,000 and that there is a confidence factor in this regard. With the current situation with Covid we need to assess this. There will be a penalty

next year for any milestone it missed going into next year.

**Deputy Matt Carthy:** I want to clarify this in my own head. The Department sits down with the company, it says what it can achieve and the Department sets this as a milestone.

**Mr. Fergal Mulligan:** No. The existing milestone is already in the contract that we signed in 2019. What the company needs to do is come to us and explain why it cannot achieve it. As Mr. Griffin said, we kick this up and down to make sure we understand whether something is down to Covid or caused by National Broadband Ireland itself or a subcontractor. We do all of this work to establish what it was supposed to achieve, which was the 200,000, versus what it can achieve. The contract is re-baselined based on this. This does not mean it gets a free pass because we change the numbers. It will still get hit with delayed payments based on the original contract.

**Deputy Matt Carthy:** Has it been hit with any delayed payment so far?

**Mr. Fergal Mulligan:** Sorry?

**Deputy Matt Carthy:** Has there been any penalty applied so far?

**Mr. Fergal Mulligan:** Not with regard to build because it does not start until 1 February next year. There are other key performance indicators with penalties that the company could be hit with this year if misses those performance indicators. This is something it could be hit with this year. Certain penalties could apply this year. We have not concluded on this yet.

**Deputy Matt Carthy:** Has there been any application for contingency funds to be drawn down? On what basis can contingency funds be drawn down? This is on the basis the original contract, as well as including the €3 billion of the contract itself, also included a €545 million contingency fund.

**Mr. Fergal Mulligan:** As the CEO of National Broadband Ireland said at a recent meeting, as far as the company is concerned it is coming in on budget and it expects to come in on time overall. This is a key statement from the CEO of the company. The Department has not received contingency funding requests for works completed to date. This is not to say it might not arise over the coming years. So far the company has not received extra funding from the contingency fund.

**Chairman:** I have some questions on the national broadband plan. Back in June, in reply to a parliamentary question, it was stated that 4,000 homes out of the 115,000 originally targeted for this year were completed. On 15 September there were 23,000, according to the CEO of National Broadband Ireland. There are now 27,000. We have clarified this today. The target is 60,000 so there are 33,000 premises to be connected, or to be passed, between now and the end of the year. This would seem to be ambitious. I hope it happens. Similar to the previous speaker, I desperately want to see the broadband plan rolled out. Laois and Offaly are crying out for it. Many commuters go up and down the M7 every day who could be working from home. They need to be working from home for a number of reasons, such as to get away from long commutes and to decrease their carbon emissions.

At present, 60,000 is the target. It looks like we will come in at roughly half of what the original target was. There was a period of time that the company could not work because of Covid. I contest this because telecommunications was one of the areas that was exempt. The real reason was that many of the operatives and subcontractors involved were from another country.

They were from overseas and had to travel into the country. I would like a brief answer. Is this not the real reason it was held up for so long at the start of the year?

**Mr. Mark Griffin:** I do not believe so. That has not been flagged with me as an issue. In response to Deputy Carthy, I set out a list of things we have seen as being problematic and, as Mr. Mulligan said, every single thing NBI put to us-----

**Chairman:** We are down to half the target. My point is that half the year was not missed.

**Mr. Mark Griffin:** I know but there is a period of time-----

**Chairman:** NBI-----

**Mr. Mark Griffin:** I apologise; I am interrupting the Chair.

**Chairman:** I saw NBI vans going around in the springtime. There was some level of operation going on.

I want to ask about the penalties. This is something that we need to nail down today. On 1 June, I asked the Minister of State, Deputy Ossian Smyth, in the Dáil about this. He said that as he understood it, there were none in the current contract. The reply to a parliamentary question I put to the Minister, Deputy Michael McGrath, on 17 June was that there are key performance indicators to ensure services are maintained appropriately, including significant penalties to address underperformance. Several years ago, the former Minister, Deputy Richard Bruton, told me on the floor of the Dáil when replying to a question on this that stringent penalties would be imposed. What I am hearing this morning is that if NBI does not get to the 60,000 it will not get paid. The point is that it can move at its own pace if there is no other penalty. I was given to believe, and the greater world out there believes, that there were going to be stringent penalties. There is huge concern about this not just among Members of the Oireachtas but in the Department of Public Expenditure and Reform. It outlined clearly what its concerns are. I want to clarify this with a “Yes” or “No” answer. Apart from not being paid for work not done, in other words if it does not get 60,000 done it will not get paid for the full 60,000, is there another financial penalty?

**Mr. Mark Griffin:** It is not a “Yes” or “No” answer but it will be a brief answer. There are three stages when we look at this. It will get paid for what it has built. The impact, as Mr. Mulligan described earlier, is that work continues and it has to fund additional working capital. It also loses out on revenues to the company. I do not want to call this a penalty but it is a consequence and it is a significant consequence for the company. The second point Mr. Mulligan mentioned is that there are delay payments. These delay payments are applicable from the first day of the third contract year and will be applied where there is a delay in achieving build-related milestones.

Looking back at the transcript, a Deputy used the analogy of a concessionaire running a road and getting hit with penalties for closing down one of the lanes. These are the types of penalties that arise when connecting and passing. These are real penalties. There are 17 key performance indicators. These include the time required to connect premises, minimum upload and download speeds, the number of faults, the time taken to repair them, price and service availability. There is a suite of penalties and consequences across the lifetime of the project.

**Chairman:** The only penalty financially is that the company does not get paid.

**Mr. Mark Griffin:** No.

**Chairman:** If a carpenter doing work in a house starts and does a bit of it and then goes away and comes back, and keeps coming and going over a period of time so that two weeks' work takes the better part of a year, that carpenter will not get paid until the job is finished. It is common enough and I have a little bit of experience of it. That carpenter is happy enough to have held the job and the contract. This is the point I am making.

**Mr. Mark Griffin:** When we are looking at the scale of the money is involved-----

**Chairman:** Yes, I understand that but they are the same laws of economics.

**Mr. Mark Griffin:** In terms of the potential revenues, this has a major impact on the company. Perhaps Mr. Mulligan is in a position to explain it a bit.

**Chairman:** I want to move on.

**Mr. Fergal Mulligan:** I will come back to the Chairman's carpenter analogy. The carpenter might be getting money from 20 other jobs. National Broadband Ireland has no other source of income at present and it has to get money from us.

**Chairman:** There are no financial penalties.

**Mr. Fergal Mulligan:** There will be from 1 February next year. I can absolutely stand over all statements we have made over the last few years. This company is subject to very strict penalties and will be hit very hard financially if it does not deliver. That is a point I will reiterate time and again. There are severe penalties.

**Chairman:** Mr. Mulligan is one of the main people overseeing this in the Department. He and I discussed this matter a couple of years ago, along with Mr. Ó hÓbáin. The Department of Public Expenditure and Reform, on 3 April 2019, issued observations and memos for the Minister's attention. I have copies in front of me. The Department set out its concerns. The document I have to hand, from Mr. Robert Watt and Mr. Brendan Ellison, is one with which Mr. Mulligan will be familiar. It states:

We strongly recommend against approval of the appointment of the preferred bidder to the current NBP procurement process on the grounds of: cost and affordability, impact on the National Development Plan and on projects forgone as a result, value for money and specifically uncertain benefits, unprecedented risk for the Exchequer and compatibility with [the spatial strategy] Project Ireland 2040.

It also states the Department believed significant progress could be made with an alternative approach. Basically, it was saying other providers were already in the field in a lot of the relevant localities. I am familiar with some of them in Laois–Offaly. They were out there providing wireless broadband before the Department was. The two officials mentioned the cost and set out a chart on it. The document stated, "This is a more prudent approach to a long-term investment of this nature compared with committing to a 25 year contract which, by its nature, does not have the same flexibilities." They set out what this entailed. Basically, it was providing a spine.

The document states, "In terms of value for money, we have major concerns in relation to the credibility of the [cost-benefit analysis] for the National Broadband Plan". At the time, a sum of up to €3 billion was being mentioned. The document also states, "Furthermore, under this



proposal the State will not own the asset, despite investing up to €3 billion in it (as compared with a private sector equity investment risk of only [the wording here is blacked out]”. It goes on to state, “The lack of a competitive process in arriving at the final bid is also a real concern for the Department”. It outlines the risks to the Exchequer: “[W]e believe that the State is being asked to take on unprecedented risk associated with this project”. It claims the State was being asked to commit nearly €3 billion, which was to provide returns to the private operator and owner of the asset, while the latter was risking only a given amount of equity. This amount is blacked out in the document. At the time, the amount was reckoned to be around €250 million. The document states the private operator, for the given amount of equity, “will own the entire asset while accepting the State has mechanism to safeguard”. The document also sets out what its authors believe was an alternative approach and, towards the end, questions why the likes of the ESB were not already being used more. Could Mr. Cleary state whether the Department of Public Expenditure and Reform still stands over that memo of 3 April 2019?

**Mr. Ken Cleary:** I am happy to respond to that. I do not think it is a question of standing over it. Those were the views that were expressed at the time by the Department of Public Expenditure and Reform. The Chairman has articulated them very clearly. The views are all published on the Department’s website as part of the suite of material that the Government published around the time of the national broadband plan. The Chairman has accurately articulated the views of the Department, and those were views that were presented to the Government at the time, but the Government decided to proceed with the national broadband plan. I suppose it is a question of implementation now. The views expressed at the time were those views.

**Mr. Mark Griffin:** I will say something on this.

**Chairman:** The question I have for Mr. Griffin-----

**Mr. Mark Griffin:** I think it is important that I say something on this because what the Chairman has read out is one side of the story. I have responded comprehensively to the comments referred to in a letter I wrote on 24 April 2019, a 16-page letter dealing with every single issue the Chairman raised, including possible alternative solutions. That letter is also in the public domain. People need to look at both in forming a view. The key point, as Mr. Cleary rightly pointed out, is that the Government approved it having regard to every single issue that the Chairman has articulated, which we dealt with in the memorandum for the Government and which are covered in the various sets of correspondence and in the published documents.

**Chairman:** I understand that the Government signed off on it at the time but the concerns raised by the Department of Public Expenditure and Reform, including professional people working in that Department, made many of us nervous about the whole process at the time. Those of us who were on the communications committee at the time were very concerned about it.

**Mr. Mark Griffin:** I would like to think that there are also very professional people in my Department.

**Chairman:** I take that on board but there are great concerns. It is a big contract. It is legitimate that I raised the matter. I still have concerns about it; I have to say that to Mr. Griffin.

**Mr. Mark Griffin:** The key piece in all of this was articulated when the Government took this decision. The view we were comfortable in recommending to the Government is that governance of the project is crucial to its delivery. If we do not govern it properly, it will not

be delivered properly. That is the work that Mr. Ó hÓbáin, Mr. Mulligan, the officials in the Department and the external advisers are doing day in, day out.

**Chairman:** On Mr. Griffin’s reply to the committee on 22 January, he said he thought we were in good shape meeting those targets. We were fairly well into the wave of Covid at the time. Mr. Griffin went on to say, “After year 1 ... there has been significant progress on the contract. In short, there are no targets that have not been met”.

**Mr. Mark Griffin:** I did say at the time that the expectation was that we would have an output of 70,000 in 2021. The wave of Covid that we were well into endured for several months, and that is reflected in the revised, tested, scrutinised and adjusted output figure of 60,000 by the end of this year.

**Chairman:** I have to put it to Mr. Griffin that we are still coming in at just about half of the original target – 115,000 for the year. Half the year was not missed because of Covid.

My final question is on the board of National Broadband Ireland. Right from the beginning, there was an issue with the fact that there are nine members on the board. Eight of those represent the private entity, despite the private entity putting in roughly 10% to 11% of the money. The taxpayer, through the State, is ponying up the bulk of it but the taxpayer is represented by just one person on the board. How is that working out? Does Mr. Griffin not feel that where there are difficult or contentious decisions, the Department and taxpayer are outnumbered? Mr. Griffin knows how it works at a board meeting. The ratio is eight to one at a board meeting where a difficult decision has to be made or where there is a contentious matter. I presume the person is a Department official. Mr. Griffin might confirm that.

**Mr. Mark Griffin:** The individual is Bernie Gray. She was selected through a process that was run. She is well known in the telecommunications sector.

**Chairman:** I am not doubting that or her ability, but the fact is that at a board meeting where a matter is to be contested, particularly where a difficult decision has to be made, the person representing where nearly 90% of the money comes from is but one of nine members. Anybody who has ever sat at a board meeting or committee meeting will know that the power balance is not just tilted but loaded overwhelmingly in favour of the American company that got this contract, the single bidder. How do you square that circle in those situations?

**Mr. Mark Griffin:** The objective of the board is to ensure that it fulfils a contract the State has awarded to it. That is the single purpose of NBI. I expect all members of the board to have a singular focus on that and that board members, whether they are the Minister’s nominee, the other two non-executive directors or the others put into that other pool, are absolutely focused on that. I expect all members to have robust exchanges and to act in the interest of the company’s objective, which is to deliver broadband across Ireland.

A separate piece I will say on this is that, as part of the project agreement, we have a requirement that the board of NBI should function in accordance with best-in-class corporate governance standards. That is something that is part of our governance oversight that we will review on a regular basis. We already have work under way with Ernst & Young, which is one of our contractors, to look at that particular issue and see how the board is measuring up relative to the sort of standards we expect of boards operating in this sector.

**Chairman:** I hear what Mr. Griffin said about expecting members of the board to perform and to have robust exchanges,. The reality is, however, that when an issue arises in the context

of the interests of the taxpayer and the interests of the State, it is the private entity that holds an awful lot of cards. We cannot just stop in the middle of the contract and move that entity off the pitch, no more than we can get the company that is involved in the children's hospital off the pitch halfway through the contract. We know that logic and logistics do not allow us to do that. The point I am making is that in those situations, the State and the taxpayer are in a more precarious situation because the share numbers are eight to one.

**Mr. Mark Griffin:** The other thing I will mention in order to provide some reassurance on this is that irrespective of whatever decisions the board makes, it has to come back into our system to determine if we accept any such decisions, especially where they would potentially impact on delivery of the project in the way we would want to see it delivered.

**Chairman:** I will let members back in for a second round of five minutes each.

**Deputy Verona Murphy:** This question is probably for Mr. Griffin. There was a recommendation in respect of procurement following his appearance before the committee last year. An undertaking was given that there would be a review. At that time, the Department had a proposed review and plan set down by the Minister. Is that plan currently in place?

**Mr. Mark Griffin:** Are we talking about the NBP and not just procurement generally?

**Deputy Verona Murphy:** No. I am talking about procurement generally within the Department.

**Mr. Mark Griffin:** Okay.

**Deputy Verona Murphy:** There was a note which stated that there was a non-qualified audit opinion in respect of the appropriation accounts and which drew attention to material instances of non-compliance with national procurement rules.

**Mr. Mark Griffin:** There was. When we looked at the 2019 accounts, we found that a number of contracts were non-compliant. The vast majority of those related to the NBP and the National Digital Research Centre, NDRC, both in number and value. The reason for that is we could not change horses on the NBP when we were at the point of appointing a contractor. That was the primary reason there. On the NDRC, we were at the end of a concession agreement and were in a procurement process to appoint a new concessionaire but that took a little longer than expected. There was a need to fund, non-competitively, an additional chunk of money to go into the NDRC to deal with that, but looking at 2020-----

**Deputy Verona Murphy:** I know. That is a lot of detail, but all I am asking is if a procurement plan is in place that keeps the Department in compliance-----

**Mr. Mark Griffin:** Yes.

**Deputy Verona Murphy:** -----or are we going to see the same again next year?

**Mr. Mark Griffin:** No. What you saw in 2020 in terms of trends was four non-compliant contracts with a value of €1 million and 12 others that were procured non-competitively at a value of €2 million. When you look at 2021, to date, four contracts, valued at €184,000, have been non-compliant and six, with a value of €2.7 million, have been procured non-competitively. We have seen the numbers of contracts come down considerably. That is a testament-----

**Deputy Verona Murphy:** The fact that they are decreasing in number gives me hope that

there is some oversight. My real question is: if it continues, will there be accountability? As Secretary General, is Mr. Griffin satisfied that the non-compliance is warranted in a way that it is almost impossible to comply, which we know is not-----

**Mr. Mark Griffin:** I am far more happy now than I would have been in previous years. I will give the Deputy a note on this but we have done an awful lot of work in the Department.

**Deputy Verona Murphy:** I do not need a note. I am just asking if Mr. Griffin, as the Secretary General, is happy that he can improve further but, equally, that should accountability be warranted in the cases of non-procurement, it can be provided by means of retraining and so on. I saw in the note to which I refer that three people have not been retired or dismissed - I am sure what the word was - but have left the Department. Is that correct? There is some figure there of €52,000-odd. Mr Seamus McCarthy might come in, if he can help me. People have gone from the Department. I want to know if there is accountability in the context of non-compliance.

**Mr. Mark Griffin:** There is because we have a structure in place now. Non-competitive procurements are not precluded under procurement rules. There may be very valid reasons for us engaging in non-competitive procurements. My objective is to make sure the subset of those that are non-compliant are addressed and that I see them being driven down every year. That is happening.

**Deputy Verona Murphy:** Has Mr. Griffin taken any action on non-compliance in respect of the period 2019 to 2021? Have any accountability actions been taken?

**Mr. Mark Griffin:** I beg the Deputy's pardon; I missed that question.

**Deputy Verona Murphy:** Has Mr. Griffin taken accountability actions regarding the non-compliance since 2019 to which he referred?

**Mr. Mark Griffin:** We have taken it in some areas where people's authority to procure has been withdrawn temporarily.

**Deputy Verona Murphy:** Okay. Thank you.

**Deputy Cormac Devlin:** I thank the Chairman for the second round of questions and I thank Mr. Griffin for his previous responses. I will drill down into a few other elements in the time I have.

Mr. Griffin mentioned the trading online voucher. Some €21 million was spent in 2020 and 13,000 vouchers were awarded. I highlighted that figure because that scheme, and how quickly it was administered by the Department, was appreciated by so many businesses, as I am sure Mr. Griffin will appreciate. In addition, the work of the local enterprise offices in my constituency of Dún Laoghaire-Rathdown, the phenomenal roll-out of that programme and how well it was received by businesses, should not go unnoticed here today because it was invaluable to many businesses to get them online.

I will return to the landfill issue. We spoke about it previously but did not have enough time. I asked about the €6.1 million allocated to the environmental fund to local authorities to support waste enforcement services anti-dumping initiatives. How is that being monitored by the Department? I can only imagine when the Department divested the landfill issue to each local authority it was probably a little weight off the shoulders but, ultimately, that needs to be monitored to ensure the fund is being utilised correctly and we are seeing value for money on

that aspect. How is that being done overall by the Department?

**Mr. Mark Griffin:** I will ask Mr. Nugent to come in on this, but I can assure the Deputy that in all my years as Secretary General, I have never managed to shift any weight off my shoulders.

**Deputy Cormac Devlin:** Is that just today?

**Mr. Mark Griffin:** No. It is every day, I am afraid.

**Mr. Philip Nugent:** We have regular engagement with local authorities through the waste enforcement regional lead authorities. They have a shared service approach to enforcement action. On responsibility for monitoring and ongoing remediation of the sites, responsibility for the remediation of the specific sites rests with individual local authorities. The overall strategic approach is taken through the regional waste management plans, which are due to be replaced in 2022 by a national waste management plan. That is the primary mechanism. There is also a steering group that meets on a quarterly basis to ensure we are on track, to monitor trends and to ensure we are moving through the risk sites on a prioritised basis.

**Deputy Cormac Devlin:** I thank Mr. Nugent. I understand the national waste collection permit office is run by Offaly County Council. Does that provide permits for the three active sites or is it for all 494 unregistered sites and every other site? He might just elaborate a little on that issue. I presume that also links in with the environmental fund to the local authorities.

**Mr. Philip Nugent:** The primary purpose of the national waste collection permit office is responsibility for regulating the collection system rather than the remediation of the sites under the landfill remediation programme.

**Deputy Cormac Devlin:** I note two elements in the report. The digital skills for citizens scheme had a saving of €2.5 million. That was the amount left unspent by that programme. Given where we are at with the pandemic, I presume that programme will resume shortly. I hope that €2.5 million, along with the new allocation, will be spent quite soon. In the same vein, €6 million was provided from the just transition fund and there was a significant underspend in that regard. There is a note in the report that finalisation of agreements in respect of individual projects faced delay. Has that issue also been resolved, because just transition is going to be more important as the years pass and we get closer to 2030. Will we be able to unblock the system to ensure we can get the money to the various projects that require it?

**Mr. Mark Griffin:** I will ask Mr. Ó h'Óbáin to come in on the digital skills element of the question and I will come back in on the just transition in a moment.

**Mr. Ciarán Ó hÓbáin:** The Deputy rightly identified the impact of Covid. The digital skills scheme was about bringing people into classrooms for training. We agreed on a blended approach. The timeline for delivery has been extended to allow time for that training to be implemented, in the context of the moneys that were approved.

**Deputy Cormac Devlin:** Will the €2.5 million that was saved be added to the current budget?

**Mr. Ciarán Ó hÓbáin:** The funding is in place for the schemes that are approved at the moment. That scheme will come to an end and a wider conversation is going on about what the situation will be going forward in the context of the national digital, adult literacy strategies and digital skills training in general. The learning from the digital skills programme will be

feeding into that.

**Deputy Cormac Devlin:** That is something we might look into next time.

**Mr. Mark Griffin:** I will respond briefly to the Deputy's question about just transition. We have committed €18.3 million to 45 projects and have made good progress in that respect. That will be reflected in spend in 2022. We have a substantial additional allocation for the just transition fund in the 2022 budget.

**Chairman:** Will Mr. Griffin send to the committee a list of those 45 projects?

**Mr. Mark Griffin:** I absolutely will do that.

**Chairman:** I do not expect him to have a list of them with him today but perhaps he could send one to us in the next week or two.

**Mr. Mark Griffin:** I absolutely will.

**Deputy Matt Carthy:** The Department has announced a review in the North-South interconnector. How much is it expected that review will cost?

**Mr. Mark Griffin:** I do not have a figure because we are just completing the procurement process. Given the nature of the review that is planned, I do not expect the cost to be significant.

**Deputy Matt Carthy:** Will it cost thousands or tens of thousands of euro?

**Mr. Mark Griffin:** It will cost in the thousands or the small tens of thousands.

**Deputy Matt Carthy:** What is the purpose of the review?

**Mr. Mark Griffin:** If the Deputy bears with me, I will get the precise terms of reference. We have set out terms of reference for the project. The Deputy is very familiar with this project and it has been reviewed on a number of occasions. We have asked for a review of the findings and key recommendations of the 2018 international expert committee study and to determine whether those findings still stand. That is the nature of the review.

**Deputy Matt Carthy:** The review is to see if the 2018 report remains valid.

**Mr. Mark Griffin:** That is exactly right.

**Deputy Matt Carthy:** Has there been a question over the validity of the 2018 report?

**Mr. Mark Griffin:** No, but the Minister felt that given the concerns that remain around the project, it would be worthwhile to do this short, clearly-defined block of work to determine whether the findings still stand and to provide reassurance to people who have an interest in the project. If the outcome is that the findings still stand, it will provide reassurance.

**Deputy Matt Carthy:** The difficulty is that the Department is missing the point. I am one of the people with concerns and my concerns were never around the validity of the 2018 report. In fact, the 2018 report acknowledges the credibility of the underground option, which is, as Mr. Griffin knows, favoured by local communities. The difficulty does not relate to that report, *per se*. The committee will be interested as to why the Department is investing any money at all into a project for which nobody asked. What was sought was an independent analysis into an underground option so we could determine, once and for all, the full implications in terms

of cost, feasibility and technical aspects of the project. Will the Department consider that type of assessment?

**Mr. Mark Griffin:** That particular issue has been reviewed on a number of occasions, most recently in the 2018 project.

**Deputy Matt Carthy:** The 2018 project included in its conclusions that an underground interconnector would be a credible option. The difficulty is that nobody has properly analysed what an underground option would cost or whether unforeseen technical issues would emerge. We are, therefore, continuing along a vein whereby EirGrid, with the support of the Department, is proceeding to a direct confrontation with landowners and local communities. On top of that, the Department is now spending money on a review for which nobody asked.

**Mr. Mark Griffin:** In terms of how our system is set up and in accordance with the 2012 policy statement on this issue, EirGrid was determined to have the most technically appropriate solutions to the delivery of grid infrastructure. That is its role. That is not our role.

**Deputy Matt Carthy:** Am I correct that regardless of what this review concludes, and nobody expects it will do anything other than reaffirm the current position, the type of infrastructure used to develop this project will be determined by EirGrid and the Department will not interfere, regardless of what any independent review states?

**Mr. Mark Griffin:** We will wait and see what the independent review states. I am not going to comment on an outcome I have not seen yet.

**Deputy Matt Carthy:** Have consultants been appointed to that review?

**Mr. Mark Griffin:** Consultants are on the verge of being appointed but the procurement has not fully concluded yet. A party has been identified and the procedural work to finalise that is being concluded.

**Deputy Matt Carthy:** I take it from the language Mr. Griffin is using that he is not going to divulge who that party is.

**Mr. Mark Griffin:** I am not even sure I have that information in my brief.

**Deputy Matt Carthy:** How did the procurement process operate? Was it advertised? Were there a number of expressions of interest?

**Mr. Mark Griffin:** It was advertised. We looked at the Office of Government Procurement panels that were in place at the time. That did not deliver any expressions of interest from external parties to do the work, so a broader tender was issued.

**Deputy Matt Carthy:** Were there a number of expressions of interest or engagements with the procurement process?

**Mr. Mark Griffin:** At the second stage, a limited number of parties put their names forward to do this work.

**Deputy Matt Carthy:** All they are being asked to do is read somebody else's homework and determine whether they can find any mistakes in it.

**Mr. Mark Griffin:** That is the Deputy's characterisation of the terms of reference.

**Deputy Matt Carthy:** Notwithstanding anything they might find, it is full steam ahead, as far as the Department is concerned, for the North-South interconnector under EirGrid's current proposals.

**Mr. Mark Griffin:** Again, I would say that is the Deputy's characterisation of the assessment. What I said to the Deputy was we would look at whatever comes out of this process and form a view then. The bottom line is that we have looked at this issue. When I say "we", I mean the system has looked at this issue on a number of occasions, going back probably a decade, on the options of overgrounding or undergrounding. We have commissioned a number of international expert opinions on this. The outcome, up to and including the 2018 review, is that the most cost-effective and appropriate way of delivering this infrastructure is by an overhead solution.

**Deputy Matt Carthy:** It is my belief that there has never been an analysis of an underground option for this project. Mr. Griffin and I will agree to disagree.

**Chairman:** If other members want to come in there, they should use the raise hand feature.

I will revert to the national broadband plan for a moment. This is a huge project and we all know it is badly needed. Everybody wants to see it, no one more than I, as a representative of a rural constituency with many commuters. There are a lot of people involved in small businesses around the midlands and across Laois-Offaly. Mr. Mulligan, as the programme manager, might clarify a matter for me. As I understand it, the investor or sole bidder has the contract. It rents infrastructure off another company, Eir, which was privatised in 1999 and is owned by a French consortium. Is the preferred bidder or contractor, NBI, paying an annual fee to the French consortium that owns Eir for the hire of poles and ducting?

**Mr. Fergal Mulligan:** What I can absolutely clarify is that National Broadband Ireland pays a regulated rental for any pole or duct it uses to Eir, the same way as any other industry player that has to get access to Eircom's ducting and its whole network. As I said, ComReg - we referred to this earlier - has, over the past two years, been involved in a very comprehensive review of the costs associated with Eircom providing that service and the rate of return that it should get. I understand that ComReg will be publishing a very comprehensive decision on the review of those prices towards the end of this year.

**Chairman:** There was talk at the time, just after the contract being signed, that the fee would be roughly €20 per pole per annum. Somebody gave an answer to this question previously and I am just seeking clarity. Is that figure correct?

**Mr. Fergal Mulligan:** The figures currently on the price list are €18 to €20 that is what ComReg is reviewing.

**Chairman:** Is that per pole?

**Mr. Fergal Mulligan:** That is dependent on whether the copper is still on those poles or not. If there is only a fibre cable on the poles, it is €20 or €19. If there is a copper cable which is owned by Eircom remaining on the pole network, then the charge to NBI is half the €20 charge - it is €10.

**Chairman:** Okay, that is if Eir is still using it. Presumably, there is a corresponding charge where the ducting used is owned by the private consortium that owns Eir. We owned Eir; it was a semi-State company. I do not expect Mr. Mulligan to answer that because it will depend on



the size of the ducting, the number of cables going through it and the amount of infrastructure in it. A lot of this infrastructure was put in place before 2000 and prior to the privatisation of Eir. The subsidy from the taxpayer, which is roughly 90% of the overall cost of the project - what has been put upfront for it - comes from the taxpayer. The taxpayer and State are essentially paying the subsidy for the renting of these poles and ducting, which the public company once owned by the taxpayer provided in the first place. Is that correct?

**Mr. Fergal Mulligan:** The answer is that the pole and duct network is 30 and 40 years old. A lot of poles could even be 50 years old. The network that is being rent is being upgraded by Eir, as a private company. When the State is choosing that pole network rental over 25 years, Eir is currently spending tens of millions of euro upgrading that pole and duct network, with the view of getting rental over 25 years. It is the same as renting a house. The landlord is required to upgrade that house and make it fit for purpose for the tenant, which is NBI, and then it is only allowed to get a regulated rate of return. The regulator is the key player to make sure that Eir only receives what is a reasonable rate of return on the capital cost it outlays over the next five or six years replacing any poles or upgrading all the ducts.

**Chairman:** I accept that there has been some upgrading works, particularly since the contract has been signed. We can see that some of the poles that had fallen down, were broken or whatever are being replaced. In some cases, the cables were just lying along bushes and trees where poles had been damaged or had fallen over the years. I accept that and I thank Mr. Mulligan for his reply.

I do not expect Mr. Griffin to have detailed answers on the next matter I raise. In relation to SEAI grants, as I understand it, the main three schemes are the warmer homes scheme, the better energy warmer homes scheme and the national retrofit scheme. Is that correct?

**Mr. Mark Griffin:** Yes. There is the better energy homes, the better energy warmer homes, a solar photovoltaic, PV, scheme, a community energy grant scheme and then a number of new schemes that were introduced in 2021.

**Chairman:** I am referring to the household schemes. The national retrofit scheme is the one for the more extensive wraparound, with heat pumps, etc. It is for deeper retrofit.

**Mr. Mark Griffin:** I will ask Mr. Deegan to come in on that because it is a moveable feast. The names keep changing.

**Chairman:** That is the reason I am asking the question. I am confused about it too.

**Mr. Mark Griffin:** In that case, the Chairman should ask the question and I may be able to answer.

**Chairman:** If one of the officials has some information on that, he might outline it.

**Mr. Robert Deegan:** There is the national retrofit one-stop-shop development scheme which was in place this year. That was very much focused on the delivery of B2 retrofits, which is the overarching objective, as set out in the climate action plan, as well as the installation of heat pumps. There is a forthcoming new national retrofit scheme that will also aim at achieving those objectives but will streamline the process. At the same time as that scheme is launched, we will be bringing in measures that will clarify which are the right grant schemes for the different needs of different parties so that it will be far clearer that this is a household-----

**Chairman:** Could I ask Mr. Deegan-----

**Mr. Robert Deegan:** Excuse me.

**Chairman:** There is confusion. The warmer homes scheme, which is free for people in receipt of fuel allowance, provides for a lagging jacket for a boiler, attic insulation and maybe some other minor works such as energy-efficient lightbulbs. The better energy warmer homes scheme is part grant-aided and the householder puts up the balance. The national retrofit scheme is the more substantial scheme.

According to Mr. Griffin's opening statement, €97 million was spent on the schemes in 2020. In relation to this year, is the funding spread over the year? I am never sure of this when constituents ask me about it. Is it the case that there is a pot of money across the three schemes at the start of the year and when it is gone, it is gone. Those are the three main schemes Mr. Griffin identified for householders - I should have clarified that. Is it spread over the year or is it the case that the pot of money is there at the start of the year, be it €80 million, €100 million or whatever, and if it is gone by April, it is gone for the year? For our own information, what way does that work?

**Mr. Robert Deegan:** To clarify one point, increasingly, on the warmer homes scheme, which is the energy poverty scheme, they are increasingly deeper retrofits? The average value of a retrofit in the first six months of this year under that scheme was about €17,000. It is far more extensive than was the case a couple of years ago when it was focused on lagging jackets and attic insulation.

On the point regarding budgets, the warmer homes scheme budget runs all year around, as does the budget for the better energy homes scheme, which is available at any point during the year. The Chairman may be alluding to two of the schemes in particular, namely, the community energy grants scheme and the one-stop-shop development scheme. They issued calls for projects and those projects were to be completed by the middle of October. As Covid intervened in that regard, we have encouraged participants to have as much activity as possible to be completed by the deadline of 15 October but we have also pushed out some of the deadlines for some of the projects to allow them a little more time to work. However, the budget runs all year around.

**Chairman:** Does the national retrofit scheme run all year?

**Mr. Robert Deegan:** It was initially set up with a deadline of 15 October but, because of the Covid issues, we will run it until March next year. The new national retrofit scheme that is forthcoming will overcome those issues entirely and will run all year around. There will not be an artificial deadline of mid-October.

**Chairman:** There is confusion in respect of the schemes. I know they are new schemes but there is not enough information available. One has to try to get a bit of information on the Internet regarding the schemes, particularly the national retrofit scheme. I ask Mr. Deegan to send committee members a short synopsis of the three schemes, including the amount of money it is projected will be spent on them this year. That would be to the benefit of members. There is confusion in respect of the schemes, although they are good schemes and people have benefited from them. Obviously, given the situation we are in with regard to energy, climate and everything like that, we want to try to keep promoting these schemes to the public. If Mr. Deegan could do that, it would be appreciated. The amount of money-----

**Mr. Mark Griffin:** One of the key challenges Mr. Deegan and his team have faced in recent years is the start-stop nature of the work. You knew what you had for a particular year and then you got back into the Estimates process to figure out what would be available in the following year. The national development plan has set out clear allocations for the Department between now and 2025. A significant chunk of that will go towards energy efficiency. We know what the overall capital envelope is out to 2030. Activity out to 2025 will be ramped up significantly between 2025 and 2030. That has given certainty to the sector and the contractors in the sector that they need to scale up to deliver so that when people are seeking to have their homes retrofitted, whether through one of the grant-aided schemes or the warmer homes scheme, that contract or panel will be in place.

**Chairman:** If our guests can send us that information, it would be appreciated. I refer to the categories that apply. The warmer homes scheme and the better energy homes scheme are quite clear-cut. I would like more information on the national retrofit scheme. I thank Mr. Deegan and Mr. Griffin for their replies on that issue. I did not expect them to have the details of the scheme with them because it was not specified on the invitation they received. I do not wish to put them on the spot but, as they are here and time allows, I ask them to get that information for the committee.

Many people are very concerned about the broadband plan. It is to be hoped that it can be rolled out quickly and we can get most of rural Ireland connected to broadband as quickly as possible in order to get people working from home and help those who are self-employed and small businesses.

I thank Mr. Griffin and his staff, as well as Mr. Cleary of the Department of Public Expenditure and Reform, for joining us and for preparing the information. I also thank the Comptroller and Auditor General and his staff for assisting the committee in the context of the meeting. Is it agreed to request the clerk to seek any follow-up information and carry out any agreed actions? Agreed. Is it agreed to note and publish the opening statements and the briefings provided for the meeting? Agreed. We will suspend the meeting until 1.30 p.m. when we will resume in public session to consider correspondence and other business of the committee.

*The witnesses withdrew.*

*Sitting suspended at 12.24 p.m. and resumed at 1.32 p.m.*

### **Business of Committee**

**Chairman:** The business before us this afternoon is the minutes of previous meetings, accounts and financial statements, correspondence, the work programme, and any other business.

First, we will take the minutes of our meeting of 7 October, which has been circulated to Members. Do Members wish to raise any matters in relation to the minutes?

**Deputy Cormac Devlin:** No.

**Chairman:** Are the minutes agreed?

**Deputy Cormac Devlin:** They are agreed.

**Chairman:** Next is the accounts and financial statements. One financial statement was

laid before the Dáil between 4 and 8 October 2021. It is the HSE's 2020 financial statement, accounting for €20.3 billion. It was previously laid on 1 July but had to be re-laid to correct certain errors. I ask the Comptroller and Auditor General to address the matter before opening the floor to Members.

**Mr. Seamus McCarthy:** I think Deputy Devlin was trying to come in on a point.

**Chairman:** I did not realise. My apologies.

**Deputy Cormac Devlin:** It is all right. Deputy McAuliffe sends his apologies as he has to chair the housing committee. I am also on another committee, so I will be jumping between the two.

**Chairman:** The meeting should be fairly short this afternoon in any case. I am sorry I did not see Deputy Devlin wanted to speak. I call on Mr. McCarthy to proceed.

**Mr. Seamus McCarthy:** As you said, Chairman, the HSE annual financial statements for 2020 have been re-presented. There were a couple of typos in the version that was presented originally, and these have now been corrected by the HSE. They affect note 8, non-pay expenditure, specifically the figures given for transport. The HSE has now indicated a different split to what was presented previously. In note 16, inventories, there was an incorrect figure on the write-down on PPE, on the disposal of protective suits. I dealt with that matter in my opening comments when the HSE appeared before the committee.

**Chairman:** Could we agree to note the accounts and financial statements? Agreed. They will be published as part of our minutes.

No. 3 is correspondence. There are two items to be addressed this week. The first category of correspondence is from Accounting Officers and Ministers and follow-up to meetings of the Committee of Public Accounts. No. 817 B is from Dr. Alan Wall, chief executive officer of the Higher Education Authority, HEA, dated 6 October 2021. It is information requested by the committee in relation to third level courses that were provided by UCD, and supported by Tullow Oil, for the professional development of academics or technical professionals employed by the State or regulatory bodies in the oil and gas industry.

We also wrote to UCD in relation to this and considered its response, R0717B, at our meeting of 21 September. At that point we agreed to write to the HEA to inquire as to whether it maintains a register of third level courses funded, or part funded, by the private sector. We also agreed to request that the HEA provide an information note outlining what it requires in terms of disclosures in the financial statements in respect of this matter. We will consider the HEA's reply to that request in due course.

It is proposed to await the HEA's response to our query as to whether it maintains a register of third level courses funded, or part funded, by the private sector, and information as to what the HEA requires in terms of disclosures in financial statements of higher education institutes in respect of this matter.

I will open the floor to Deputy Hourigan, who has flagged this item. Any other Members who wish to speak should raise their hands.

**Deputy Neasa Hourigan:** I am totally frustrated by that response. I am none the wiser. Serious concerns have been raised by many Members in recent times about the oversight of

universities and other educational institutions. It ranges from academic attendance to partnerships with private companies that act against the public interest. These institutions have a huge influence on society, and they are publicly funded. We must ensure there is no negative influence in State-funded education. Educational institutions also receive huge amounts of money from the Exchequer. The sum of €3.3 billion was received last year.

The partnership between UCD and Tullow Oil is particularly concerning. Tullow Oil paid UCD €2 million to put on short courses for regulators in some African and South American countries. These courses have the stated focus of professional development of academics and technical professionals. We are effectively using the brand of UCD to do that work for Tullow Oil and it is a State-funded brand. The course, as it is described, has all sorts of intersections with regulatory bodies and State-related entities. I have serious concerns over a potential conflict of interest. How much influence did Tullow Oil have on the course content? What is the curriculum and who wrote it? I do not think it is appropriate for companies to use the good name of a public State-funded university to influence regulators. That is different from particular companies having interaction with universities. This is a completely funded course. I suggest that we need to have a meeting with UCD and perhaps the HEA. There are similar courses in TCD for example. This is simply not acceptable. There is no extra information given. There is not full disclosure of what kind of standards the HEA is asking of UCD on the Tullow Oil issue. I do not accept this as an answer.

**Chairman:** We have the HEA response, which I read yesterday. It refers to the courses being “for the professional development of academics or technical professionals employed by the state, state related entities or regulatory bodies”. That is the part that caught my eye. What we are talking about is the professional development of academics or technical professionals employed in a professional capacity by the State on courses funded by Tullow Oil.

**Deputy Neasa Hourigan:** So a private entity-----

**Chairman:** Yes. Presumably the courses in the sector are provided in the area of energy.

The letter goes on to state:

As per our correspondence of 17 June, and with reference to the correspondence from the Committee, the HEA wrote to the higher education institutions, seeking assurances that any partnerships, grants, funding or similar arrangements between publicly funded higher education institutions and third parties do not proceed counter to the public interest.”.

Further down, it reads: “Responses from the institutions have been submitted to the HEA and assurances have been provided that higher education institutions are not acting counter to the public interest or the interests of institutions’ students and staff by contributing to the climate and biodiversity crises, and that governance requirements are being satisfied.” We do not want to make allegations, but the whole thing does not seem to sit right. I have always been concerned about commercial entities funding and shaping the education system and having too much of an influence thereon. Without making allegations against Tullow Oil, this seems to put a company in a position whereby it is funding a course. What input has it into the course’s design and content? We need to invite the HEA to a meeting because, although we are discussing an individual institution, this could be happening at a number of institutions around the State.

**Deputy Neasa Hourigan:** I take the Chair’s point about Tullow Oil and there are a number of examples of partnerships between UCD and the companies that are involved in the Irish Cen-

tre for Research in Applied Geophysics, iCRAG. Energy is a contested sector at the moment and using an institution and a brand that have been built up by the State and whose good name is important to the State - in terms of our national infrastructure, having good universities that are respected is important - bears greater scrutiny.

**Chairman:** For the committee's information, we have sought from the HEA a registry of courses that are provided and funded or part-funded by private entities. Perhaps we will wait to see what the response is and we can then take it from there. This is a matter that we need to examine more closely. As the Committee on Public Accounts, it is public funding that we must examine, but if a company is funding a course that is directly involved in an area that the company has an interest in and that is its main line of business, which is energy or oil in this case, we should examine it in detail. Is the Deputy satisfied to wait for the response?

**Deputy Neasa Hourigan:** I thank the Chair. That would be fine.

**Chairman:** We will pursue the matter further at that point.

The next category of correspondence is C, correspondence from and related to private individuals. No. 813C is dated 30 September and is a request to the committee from me as our Chair to consider making inquiries with the Office of the Revenue Commissioners regarding the recent tax settlement with a company called Perrigo, which concerned the tax treatment of income arising from the sale of intellectual property. It has been reported that the settlement was agreed at €297 million. Revenue's original tax bill for Perrigo was €1.64 billion, which I understand was the largest tax bill ever issued by Revenue. The settlement represents a reduction of over €1.3 billion. To assist the committee in understanding the settlement, I propose that we write to the Office of the Revenue Commissioners to request a detailed note setting out the rationale for the settlement, how it was arrived at and how Revenue was satisfied to settle for €1.3 billion less than its initial assessment. While we understand that, for various reasons, Revenue might not be able to get 100% of a tax bill, this was a major write-off. Why did it settle for that? I also suggest that we write to the Tax Appeals Commission for its take on the matter, as it may have had a role in this.

To go from €1.64 billion to €297 million represents an 84% write-off for Perrigo. How did that come about? It was originally the largest tax bill in the State's history. The State is under the spotlight in terms of our corporation tax rates and collection rate. While progress is being made in that regard and, regardless of the fact that many of us do not like it, we will now be tied to a rate of 15% under the OECD's proposal, the question over what we are collecting is the greater issue. To go from €1.64 billion to less than €300 million is a major reduction by any standard. Many PAYE workers would love to have such a reduction. Does any member wish to comment on this matter or propose an action? I suggest that we write to Revenue and the Tax Appeals Commission.

**Deputy Verona Murphy:** I would be happy with that.

**Chairman:** We will write to them.

We will move on to our work programme. Next week, on 21 October, we are scheduled to engage with Tusla, the Child and Family Agency, on its 2020 financial statements. The Dáil is not scheduled to sit the following week, 25 to 29 October, which brings us to 4 November, when we are planning to engage with RTÉ regarding its receipt of Exchequer funding, which is now the responsibility of the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media. Is

it agreed that we invite a representative from the Department to participate also? Agreed.

Last week, we agreed our work programme to the end of the year and updated work programme documents have been circulated to members and the Comptroller and Auditor General. Having discussed the sequencing of the engagements with the clerk so as to ensure that we have related correspondence and relevant reports of the Comptroller and Auditor General available to us, it is proposed to proceed in the following order: Tusla next week; RTÉ on 4 November; the Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media on 11 November; the Department of Enterprise, Trade and Employment on 18 November; the Department of Transport on 25 November; the Office of the Revenue Commissioners on 2 December; the Department of Social Protection on 9 December; and the Department of Health on 16 December. Is it agreed that the secretariat work to schedule the engagements in this order and that we revisit the work programme for the new year in late November or early December?

**Deputy Neasa Hourigan:** Agreed.

**Chairman:** If members look down the list and decide there are specific issues they wish to address with these bodies, they should let the secretariat know. The clerk will then be able to include those issues in the invitations and the bodies will be able to prepare. We must be careful to ensure that the invitations reflect what we will discuss with bodies. This has implications for the committee, but it is also beneficial for members, in that it allows them to get more information.

As we are in a position to give the Accounting Officers a significant amount of notice, we would not expect the schedule to change substantially, but the clerk will advise of any necessary change. There may need to be movement in the schedule to suit the witnesses. Some may want a different date for a particular reason. Does any member wish to raise other matters regarding the work programme?

**Deputy Neasa Hourigan:** May I again make a plea for us to schedule a date for a discussion with the Department of Housing, Local Government and Heritage on emergency accommodation? I say this at many meetings.

**Chairman:** We can of course. We will put the Department on the list.

Under the heading of any other business, I wish to raise a matter. The Department of the Environment, Climate and Communications appeared before us at today's meeting. During that, there was a discussion with the programme manager of the national broadband plan. His broadband actually dropped; his connection collapsed in the middle of the meeting. Apart from being unsatisfactory for committee members and anyone who was watching, it underlines the need for the national broadband plan to be accelerated and brought on stream quickly.

The committee should be insistent with senior officials at the very least. The main item today, which was flagged, was the national broadband plan and the principal person dealing with that was not on site, be that in Leinster House or the Department in Adelaide Road. While other Deputies may wish to comment on this, as a member of this committee that is not okay to me. The senior official should have been in Adelaide Road or on the grounds of the Houses of the Oireachtas if he were joining remotely, or preferably sitting in one of the seats in the committee room. I propose to ask the clerk to the committee that every effort should be made to have witnesses attend on site. If they are not on site, they should be at their headquarters, be that a Government Department or an agency. They should at least be in their organisation's head-

quarters with a good connection to the Internet. The senior official was upstairs in the dormer room of his house.

**Deputy Verona Murphy:** It is not a good image, one way or the other. I know many people are working from home.

**Chairman:** It is awful. I make that proposal now and hopefully after 22 October, with Covid figures going well and everything else being equal, we will have witnesses present in the committee room.

There are a couple of matters to bring to the members' attention, the first of which is our report. The secretariat will circulate a document setting out the current status in advance of the next meeting. I propose we consider it in private session at the end of that meeting. Some reports are at various stages of completion and members need to be aware of that. We should also be in a position to consider the draft report on our engagement with the Department of Social Protection at that time. Is that agreed? Agreed.

The second matter involves considering the format and content of the appropriation accounts. It is proposed to circulate a briefing document on this and to consider the matter in private session at the next meeting. Is that agreed? Agreed. Are there any other matters which Deputies wish to raise?

**Deputy Verona Murphy:** I have a question that perhaps Mr. McCarthy will answer. Do we receive an estimate of the underspend in each Department, after the budget or at the end of the financial year? Is there a document that details the underspend of all Departments?

**Mr. Seamus McCarthy:** That is one purpose of the appropriation accounts but that is much later in the process. Is the Deputy looking for figures before the end of the year?

**Deputy Verona Murphy:** Yes, or before the finance Bill, which will be in a fortnight. Is there a document on this?

**Mr. Seamus McCarthy:** A document is produced by the Department of Public Expenditure and Reform - the white paper - which should give an indication of the underspend it anticipates.

**Deputy Verona Murphy:** Is that the underspend of every Department?

**Mr. Seamus McCarthy:** I cannot recall whether it will be done on a detailed level. That is the only document I am aware of that might provide information in that regard

**Deputy Verona Murphy:** That is no problem. Will it be a cumulative or a breakdown figure?

**Mr. Seamus McCarthy:** It will be an aggregate figure.

**Deputy Neasa Hourigan:** Should we request that document?

**Chairman:** It would be useful to have.

**Deputy Verona Murphy:** It would be useful, but I do not want to bother them.

**Deputy Neasa Hourigan:** I do. I think we should request it.

**Chairman:** Should we request it? Okay. The meeting is adjourned until 9.30 a.m. on



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Thursday, 21 October when we will examine the 2020 financial statements of Tusla, the Child and Family Agency.

The committee adjourned at 1.53 p.m. until 9.30 a.m. on Thursday, 21 October 2021.