

DÁIL ÉIREANN

AN COISTE UM ACHAINÍOCHA ÓN BPOBAL

COMMITTEE ON PUBLIC PETITIONS

Déardaoin, 12 Bealtaine 2022

Thursday, 12 May 2022

Tháinig an Comhchoiste le chéile ag 2.30 p.m.

The Joint Committee met at 2.30 p.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	Seanadóirí / Senators
Pat Buckley,	Jerry Buttimer,
Cormac Devlin,	Eugene Murphy,
Emer Higgins,	Fintan Warfield.
Pádraig O'Sullivan.	

Teachta / Deputy Martin Browne sa Chathaoir / in the Chair.

Consideration of Public Petition on a Ban on Herbicides in Public Areas: Discussion

Chairman: No apologies have been received.

Senator Jerry Buttimer: Deputy Griffin sends his apologies. I will have to leave the meeting shortly because I have another engagement. I apologise for that. The meeting time changed and that is why I will have to leave. I apologise.

Chairman: I thank Senator Buttimer.

The Ceann Comhairle, Deputy Seán Ó Feargháil, and the Cathaoirleach, Senator Mark Daly, have published a Covid-19 code of conduct for the parliamentary community, March 2022. Face masks should continue to be worn when people are moving around the campus and during the meeting except when speaking. This will help to reduce the risk of Covid-19 spreading among the parliamentary community.

I propose that we approve the minutes of the private and public meetings held on 24 and 28 April 2022, which have already been approved at a virtual meeting. We must do this for procedural reasons. Is that agreed? Agreed.

I remind members of the constitutional requirement that they must be physically present within the confines of the place in which Parliament has chosen to sit, namely, Leinster House, in order to participate in public meetings. I will not permit a member to participate where they are not adhering to this constitutional requirement. Therefore, any member who attempts to participate from outside the precincts will be asked to leave the meeting.

Our next business will be the committee's engagement with Mr. James Walsh, a petitioner. Before we start, I wish to explain some limitations to parliamentary privilege and the practice of the Houses regarding references witnesses may make to other persons in their evidence. The evidence of witnesses physically present or who give evidence from within the parliamentary precincts is protected pursuant to both the Constitution and statute by absolute privilege. The witness is reminded of the long-standing parliamentary practice to the effect that he should not criticise or make charges against any person or entity by name or in such a way as to make him, her or it identifiable, or otherwise engage in speech that might be regarded as damaging to the good name of the person or entity. Therefore, if any of Mr. Walsh's statement is potentially defamatory in relation to an identifiable person or entity, he will be directed to discontinue his remarks. It is imperative that he complies with any such direction. Before we hear from our witness, I propose we publish his statement on the committee's website. Is that agreed? Agreed.

On behalf of the committee, I extend a warm welcome to Mr. Walsh. I invite him to make an opening statement for approximately ten minutes. We will then have questions and comments from members. Each member will have approximately ten minutes. That will allow for members to come back in a second time, if they want to. I invite Mr. Walsh to make his opening statement.

Mr. James Walsh: A herbicide, also known as a weedkiller, is defined by law as a pesticide. All herbicides, insecticides and fungicides, as well as moss killers and slug killers, both ama-

teur and professional, are defined by law as pesticides and also referred to as plant protection products, PPPs. There is legislation in place for pesticide use to protect the health and safety of members of the public and to protect the environment and animals. The main Irish legislation concerning the control, marketing and supply of pesticides is SI 155 of 2012. The main European legislation on pesticides are regulation (EC) No. 1107/2009 and directive 2009/128/EC. The pesticide control division, PCD, and the pesticide registration division at the Department of Agriculture, Food and the Marine are responsible for enforcing these regulations.

Article 12 of SI 155 of 2012 states that no person shall apply a pesticide in areas used by the general public. Alternative measures must be prioritised. Only registered users can consider using a pesticide with documented evidence to state why any other measures would not work and there must be a risk management system in place, including warning signs.

Article 22 of SI 155 of 2012 states that any person who contravenes Article 12 commits a criminal offence and is liable to a class A fine and a court conviction. A copy of the fixed payment notice was included in the supporting documents I sent to the committee. Warnings are given before a fine is imposed. The current fine is €250. The fixed payment notice includes SI 155 of 2021 and asks which Article was contravened.

A letter was sent to all local authorities, including councils and other public bodies, to ensure they comply with SI 155 of 2012. I have a copy of that letter with me. I have highlighted the area of the letter where Article 12 of SI 155 of 2012 is referred to. It states pesticides should not be used in areas used by the general public. It uses the examples of public parks, hospitals, public schools and public playgrounds. It states that alternatives must be prioritised. There must be documented evidence to state why an alternative would not work. A proper risk management system must be in place by way of warning signs. That is repeated in the letter that was sent to all councils in the country.

Many public bodies have made significant improvements by way of reducing or eliminating pesticides in public areas. However, a significant part of public areas are sprayed by private users who are not a part of a public body. Examples include contractors hired by schools or hotels, and other areas used by the general public. Many farmers and residents spray public roadsides for up to a mile either side of a village, on both sides of the road or only one side, where children walk to school or people are walking. Some people who do not have a car are forced to walk or cycle past such areas. Young children have to step in off the side of the road and are forced to stand in pesticides. There are often no warning signs when an area has been sprayed. It takes seven days for a verge or grass to change colour after it is sprayed with pesticides. One cannot tell within the first few days when the spraying was done. It could have been sprayed five minutes or two days earlier. The area could still be wet with glyphosate.

Shopping centres, private car parks, caravan parks, hotels, golf courses, GAA clubs and other sports grounds, swimming pools, health centres and restaurants, industrial estates and business parks, rented accommodation and estate agencies are further examples of public areas that may have been sprayed with pesticides.

I asked the manager of the pesticide control division at the Department of Agriculture, Food and the Marine why this law is not enforced. He told me the Department is understaffed. He agreed with me about Article 12 of SI 155 of 2012. It is illegal to spray public areas with pesticides. A media spokesperson has confirmed this and said that to date, no public body has been brought to court. It is not clear whether or not a private person has been brought to court. Nobody is aware that this regulation, this law, exists outside of the many councils who have been

made aware. It has been in existence since last year. The letter to which I referred earlier was sent out to councils in 2021 but outside of councils, nobody knows this law exists.

There are problems with some town councils that are persisting with the use of weedkiller but others have made improvements. Cork City Council, for example, announced in February of this year that it will cut out its use of chemical weedkillers by 100% with immediate effect. Cork County Council roads department has stopped spraying along primary and secondary roads. Some municipal districts, however, still insist on using weedkillers in housing estates and playgrounds. Close to where I live, for example, the roads department has done an excellent job using alternative measures along roads but the department looking after the council estates, which is a different department in the local council, is still spraying pesticides as far as people's front doors and even along the side of the swings in the playground. I have video evidence of that. Many other housing estates in the same town no longer use pesticides, as is the case in many other towns. This raises questions about the willingness of some councillors in some municipalities to comply with current legal requirements and their understanding of the law. I also received an email from Midleton town council and it stated it wants to use pesticides for another couple of years in public areas, and that it might eliminate it in future years. It is clearly visible there where pesticides are still sprayed on footpaths in strips of 1 m wide along the dual carriageway between Midleton and Little Island and along the water's edge, which is also in violation of section 11 of SI 155 of 2012. It is the same in Dungarvan on the footpaths and close to the water.

A motion was put forward this year to Cork County Council by an east Cork councillor to implement the same policy as Cork City Council and cut out pesticides in public areas by 100%. It was supported by all councillors but Cork County Council still did not agree to implement it. It stated that Cork city is more urban than Cork county. In my view, a housing estate in a town in Cork county, outside of the city, is the same as a housing estate in the city, and a primary or national road should not be any different to maintain than a dual carriageway. According to section 12 of SI 155 of 2012, if some councils are persisting in this practice they are not currently operating within the statutory requirements of the legislation available.

In cases brought before judges by top lawyers in many courts across the United States, they have proven glyphosate-based weed killers to have directly caused cancer in humans. It is listed by the International Agency for Research on Cancer, IARC, at the World Health Organization as a group 2A carcinogen. The main glyphosate-based pesticide supplier is being sued for more than \$1 trillion dollars by more than 125,000 people in the US and is paying out \$10 billion in 100,000 settlements. It was announced that glyphosate will be removed from the domestic market in 2023 in the United States. The sale of glyphosate is already banned in many countries, including Fiji, Saudi Arabia and five other countries in the Gulf Cooperation Council, Sri Lanka, Vietnam and Bermuda. Germany, Mexico, France and many other countries are banning glyphosate from 2024. Pesticide use in public areas is already completely banned in many countries, including the Netherlands, Belgium, France, Portugal, Italy, Malta, Austria, and Luxembourg, most of Argentina, most of Canada and most of the United States.

A small percentage of public areas sprayed is invasive species, which includes Japanese knotweed, giant hogweed and a few others. An organic vegetable-oil based alternative called Foamstream is successfully used in many areas in the United Kingdom to eradicate invasive species. It is applied every six weeks when the plants are small to medium in size during growing season.

Private users who spray pesticides are already doing so illegally under section 12 of SI 155

of 2012. In most cases they are not registered, they do not prioritise alternatives, they have no documented evidence to say why alternatives do not work, and they have no risk management system in place by way of leaving warning signs. Public bodies that still spray pesticides in public areas are also doing so illegally, again because they do not prioritise alternatives, they have no documented evidence to say why alternatives do not work, and they have no risk management system in place.

Solutions would include warning signs to be placed in shops selling pesticides to say it is a criminal offence to spray along public roads and other areas used by the public such as caravan parks, schools, playgrounds, sports fields and so on; An Garda Síochána should be able to respond to any contravention, as with any other crime; hiring and training pesticide control wardens might also be an option, similar to a dog warden or traffic warden; all city and county councils should adopt the same policy as Cork City Council to eliminate pesticides in public areas by 100%; and a non-chemical alternative is available to treat invasive species successfully. I thank the committee.

Chairman: I thank Mr. Walsh for contacting the committee with this petition. Understandably, there are challenges there for our environment in what it is facing. A petition like this is especially timely and I believe it is worth examining. It must also be noted that the petitioner is raising a matter of public health and particularly when it comes to the safety of public spaces such as playgrounds that would, in large part, be used by children, young adults and young people. The petition also raises the need to consider the alternatives and why they are not being used.

I will open up the discussion with three quick questions and then I will let in the other members. Will Mr. Walsh summarise some of the points he made in his opening statement and tell us what his concerns are about the current use of pesticides? I would appreciate it if Mr. Walsh could break it down into private use and the use by the public bodies.

Mr. James Walsh: Yes. I will start with the issue of private use. For example, where I was living previously in a village in north Cork, there were four roads coming into the village, one or two big farmers were living on the edge of the village. All four roads were sprayed with pesticide on the road verges, sometimes on stretches up to half a mile long. Children were forced to stand in this pesticide when they were walking. As I have said, there were no warning signs to say the area had just been sprayed. Their shoes would already have been contaminated. Where I live now, the playground is sprayed. Children are most likely to have come into contact with pesticides already, on their skin and definitely on their clothes, and bringing it into their houses where there may also be pets. One of my neighbours has told me he will not bring the dog out after any spraying. Another person I met had brought a similar petition to his local council in Carrick-on-Shannon. He collected 1,300 signatures. He said people had stopped going to the park over it. Mothers would not bring their children to the park anymore. Children are at high risk of getting contaminated with pesticides on their clothes and skin and breathing it in. This is especially if the area has just been sprayed. No warning signs are ever left.

Alternatives are not being used and it is not being documented. If it is private use, in most cases they are not even registered. Section 12 of SI 155 of 2012 clearly states a person shall not apply a pesticide in areas used by the public. It clearly outlines that only in certain cases, if the registered person cannot use any alternatives, might its use be considered, with clear evidence logged as to why an alternative did not work. That evidence must be logged, including how much was used, and a proper risk management system must also be in place. None of that is ever done. Private users are not registered. They do not know the law exists. There needs to

be a public awareness campaign to tell people this law exists. It all starts with the shops where people buy the pesticides. If a person can see a sign to tell him or her it is illegal to spray the pesticides along a public road, in a caravan park, in a school or in a church, then the person is not going to do it. At the moment it is possible just to buy the pesticides. People do not understand anything about the law and the person in the shop is not telling the buyer anything about the law. The buyer does not know he or she is doing anything wrong and believes he or she is helping out by doing a little job for the church or the school by just spraying it. The person does not know anything about the law or anything about the pesticides being used.

Chairman: This has always puzzled me, that if a person goes to spray with a knapsack, he or she must have the training and all of that done for using the knapsack and the spray bottle, but a private person doing the same thing does not have that training. Will Mr. Walsh make the distinction between pesticides for public use and those for professional use? With regard to the call being made by Mr. Walsh, are the further restrictions applicable to both uses or just to one?

Mr. James Walsh: I am talking about public areas. A public road is a public area. If a person wants to buy a pesticide and just apply it in his or her own garden, away from a public space, there are no restrictions on that. A person can do that in his or her own garden.

Chairman: Mr. Walsh is calling for it in public.

Mr. James Walsh: Only in public spaces. The law says a pesticide does not differentiate between an amateur pesticide or a professional pesticide. In most cases I mean the professional pesticides, the same as used by the council, but which people can easily buy in a hardware shop. They are using it all over the place. In the village I lived in previously, you could not go anywhere that was not sprayed. It was everywhere. It was in the playground, in the GAA pitch, on all the roads coming in, on all the streets, including the main streets and outside the chipper, the nursing home and the hospitals. It was just everywhere.

Chairman: Will Mr. Walsh outline whether he is calling for further restrictions on insecticides as well as fungicides and moss and slug killers?

Mr. James Walsh: I am not calling for further restrictions. The restrictions are already there. The law is already there. By law they cannot do it but they do not know the law. I am calling for signs in the shops, where it all begins when the person goes in to buy, so that there is a clear sign to say it is illegal to spray along public roads or other areas used by the public and that fines will be incurred. Another option, given that the Department of Agriculture, Food and the Marine is understaffed and cannot enforce this, is for An Garda Síochána to be made aware of the legislation so its members are able to respond. If I see someone spraying at a caravan park, public playground or along the road coming into a village, I should be able to ring the gardaí, who could come down within 20 minutes, have a chat with the person and let him or her know that such spraying is illegal. I have also included as an option, while the ban is relatively new and people are still unaware of it, the hiring of pesticide control wardens, similar to dog wardens or traffic wardens who could leave a warning with people or tell them about the law. The main focus, however, is the shops, which is where it all begins. They should display warning signs making it clear that it is a criminal offence to spray pesticides in public areas. That would be good.

Chairman: The law is there, as set down by the Department, but the local authorities can get around it. There is a loophole there which means they can use pesticides. Is that correct?

Mr. James Walsh: Yes. The letter is two pages long. It was sent out to every Department. It refers to national legislation S.I. 155/2012 which provides for restricted use of plant protection products, PPPs, in specific areas including areas used by the general public, special protected areas and special areas of conservation. It says clearly that pesticides should not be used in these areas but whether the local authorities have read it is another question. The letter was sent to them all but some might not have read it. Some of them might not understand it because there is a lot of other information in it. They might not have read it properly.

Chairman: Thank you Mr. Walsh. Deputy Buckley is next.

Deputy Pat Buckley: I thank Mr. Walsh who is both concise and well educated on this issue. I was not aware that there was legislation and rules in place governing this. The key issue here is to raise awareness of how dangerous these chemicals are and Mr. Walsh outlined that very well. His commonsense approach, which we do not hear too often in this House, sits well. There is no way glyphosates should be used in housing estates or anywhere that there is footfall, including playgrounds and so on. Mr. Walsh is right about that.

I agree that warnings should be displayed wherever these chemicals are being sold. Again, this is about providing information because I genuinely do not believe most people would be aware that they are breaking the law. I spray my plants at home but I use a mixture of white wine vinegar, salt and washing up liquid. That is an alternative and by God, it works. I am very interested to hear Mr. Walsh's view on how we can raise awareness of the dangers of using these substances and also of the fact that there is a law in place which means that people who use them in public places are actually breaking the law.

This is a massive health and safety concern. In terms of an alternative for the biological and cultural control of weeds, what would Mr. Walsh recommend? Specifically on Japanese knotweed, herbicides are injected into the stem and the roots but is there an alternative approach? Would it be useful for this committee to write to all of the local authorities to raise awareness? Should we embark on an awareness-raising campaign using Mr. Walsh's ideas and recommendations?

My main questions are how we work on raising awareness, what the alternatives are for playgrounds, how we enforce the rules and whether there is an alternative for Japanese knotweed.

Mr. James Walsh: Many public bodies have already significantly reduced their use of PPPs. In Cork city, their use has been cut out completely, 100%, and now one will see grass and weeds growing out of kerbs. One sees that a lot in Dublin as well because the local authorities in Dublin have also reduced the use of PPPs by about 90% in the last couple of years. Some have hired Foamstream machines. As far as I know, Dún Laoghaire-Rathdown County Council was the first to hire Foamstream machines and Fingal County Council also uses them. That technology goes to the Deputy's other question. Foamstream can be used on invasive species but the plants must be treated when they are small to medium in size and every six weeks during the growing season. If a Japanese knotweed plant is too big, the hot water stream will not work but if it is treated when it is small to medium in size it will respond as well to Foamstream as any other grass or weed. Foamstream uses organic vegetable oils and has been used successfully by Dún Laoghaire-Rathdown and Fingal County Councils. They were the first to buy Foamstream machines in Ireland. They are used in New York, Miami, Barcelona and many other places.

Apart from Foamstream technology, a lot of councils have stopped spraying in housing

estates and are using mechanical options like strimmers and manual options like hoes and so on. They probably need more manpower because they are not using sprays but they are doing it successfully in a lot of places in Ireland. It is working. The councils that are persisting in the use of sprays are doing so because they do not understand the law or out of pure habit. They just keep renewing the contract with the sprayer and are not taking any interest in it. One can clearly see that other methods are working well, including manual and mechanical options and in Dublin, the Foamstream technology. There are plenty of alternatives. I lived in Holland previously and used to see vans pulling up outside my home. Six guys would jump out with shovels and hoes and clear an estate and then move on to the next estate. I do not know if PPPs were ever used in public areas in Holland but certainly since 2014 most weedkillers have been banned, except for agricultural use. Many countries are able to do it and a lot of towns in Ireland are already doing without PPPs.

There is no excuse for those councils that are persisting with their use, especially near trees. Cork City Council was one of the worst in the country last year but there were so many complaints that it went from being one of the worst to being one of the best in the country. One would often see rings around trees after an area was sprayed. However, with strimmers it is important not to get too close to the trees so what they do now is leave a small amount of grass growing around the base of the trees. Things like that are very easy and effective. Thanks to the pollinator plan, one sees dandelions growing along primary and secondary roads nowadays. Councils have stopped spraying them and it is probably saving them money. They are not spending money on chemicals or on the guys who were doing the spraying. They are leaving things to grow a bit more. In a lot of ways, they are doing it already in a lot of places.

I hope I have answered all the Deputy's questions.

Deputy Pat Buckley: In a lot of council areas, one sees wildflowers growing in central medians and along the verges of the roads. There is only one cut per year. I agree with Mr. Walsh that it is important to raise awareness. It is also important to change the habits of the councils. It can be done. I thank Mr. Walsh for his replies.

Chairman: Senator Warfield is next.

Senator Fintan Warfield: None of us has been able to join Mr. Walsh in the committee room. I apologise about that. We are all on the video link. He is on top of his game. I thank him for the petition. I recall that South Dublin County Council, based in Tallaght, passed a motion to ban glyphosate from being used in public spaces.

How much of this is about doing nothing or doing less? Not using anything to replace pesticides or herbicides costs nothing. It would save money. Is there really a need to spray all of these areas?

Mr. James Walsh: Many people are used to doing it and like a clean-cut look, with everything being straight and grass looking like it is on a golf course.

Senator Fintan Warfield: Should we change our mindset completely?

Mr. James Walsh: One can see the difference along primary and secondary roads, with the pollinator plan. The area near where I live, between Middleton and Youghal, is beautiful. Spraying along those roads stopped and one can now see wildflowers growing along the sides of the roads. There has been a change due to the pollinator plan, from having everything being straight-cut to instead having wild flowers. That change has already happened. Some councils,

out of habit, keep hiring contractors to use sprays. It happens anywhere that they find it hard to use trimmers, such as at road sign poles, trees, gravel areas or any hard surface area. They find it difficult to do anything but spray. If they took their time with hoes and shovels and were more careful, they could leave a bit to grow alongside the trees and road signs, even with the Foamstream that is used in Dublin. There are many ways to do it. Many other countries get by without herbicide and there is no need for us to use it. It is a matter of habit at this stage.

Senator Fintan Warfield: Making the public space look like a golf course is a good way to put it. It is not really a case of doing nothing. One would do quite a lot of good by not using herbicides or pesticides, since it would allow for growth and be good for biodiversity. Mr. Walsh mentioned the pollinator plan, which I was going to raise too. There are many examples of how we label products, including alcohol, tobacco and so on, so that could be looked at. The green schools movement and tidy towns are forums which could bring awareness to the issue.

Chairman: Is Senator Warfield happy with that?

Senator Fintan Warfield: I thank and commend Mr. Walsh.

Deputy Cormac Devlin: I welcome Mr. Walsh. I thank him for his attendance, his contribution and his original petition. He has highlighted various elements. He has a great knowledge of and interest in this. As Deputy Buckley said, the legislation is already here. It needs to be implemented and enforced where necessary. I was particularly pleased to hear Mr. Walsh mention my county council, in Dún Laoghaire-Rathdown, which took this step a number of years ago. There was hesitation about it. Mr. Walsh mentioned the weeds and so on that he saw on his route through Dublin to Leinster House. There is a knock-on effect. Some pesticides and herbicides do what they say on the tin, but there are unseen impacts on the environment. That is why Dún Laoghaire-Rathdown took what was, to my knowledge, a unanimous decision, and other local authorities acted too. Mr. Walsh mentioned his own county.

I was reading the guidelines and one matter stuck out. The officers of the pesticide control division in the Department will inspect local authorities for compliance with the sustainable use of pesticides directive, SUD. Does Mr. Walsh have much information from the Department about how many inspections of local authorities have been conducted?

Colleagues have mentioned restrictions in sensitive areas. Mr. Walsh mentioned playgrounds. Where these are used can be seen, because there is a scorched earth look to grass, to verges or to wherever it is used. Public representatives get many calls when weeds are not under control. Mr. Walsh mentioned hot foam and other methods. All of those should be used. They are better for the environment. Some Irish companies produce the chemical-free agents that local authorities could use. One in my area, VivaGreen, has many non-chemical, non-invasive products which work. Is Mr. Walsh aware of other, preferably Irish, companies that are doing that too? Mr. Walsh might answer those, then I will come back in if possible.

Mr. James Walsh: Will Deputy Devlin repeat the first question, please?

Deputy Cormac Devlin: The first question is on the use of the-----

Mr. James Walsh: On whether I know any local authorities that were inspected.

Deputy Cormac Devlin: By the Department.

Mr. James Walsh: Last year, inspectors visited Cork City Council and, with the involve-

ment of Green Party members, it decided to go entirely herbicide-free. They came up with a solution together. I was told that by a Green Party councillor from Cork. Inspectors visit councils and inform and help them. From what I heard from the Green Party councillor, that is where the plan came from. Matters in Cork were bad last year. The council apologised publicly for some of the spraying. It admitted that it was done outside of guidelines. I know that inspectors go to councils.

The second question was about whether I know of any other Irish companies. I only know one company that provides Foamstream, which is from England. I have not come across any Irish companies that provide alternatives for councils.

Deputy Cormac Devlin: Public representatives and members of the public want to see weeds controlled where possible. They do not want the place to look untidy. To use Mr. Walsh's analogy, people are not looking for golf course quality, but ultimately, they do not want the place to fall into wrack and ruin. A balance is to be struck. Where local authorities could use products that are not harmful to the environment, humans or animals, we need to make sure that they do so. Alternative methods such as hot foam are fine, but we also need to encourage local authorities to explore other options. I am not necessarily hearing that from Mr. Walsh. Maybe to follow from today, the committee could write to the Department and find out first how many inspections have been happening. I heard what was said about Cork but I am suspicious that it is because of Mr. Walsh's activity that Cork was inspected last year. We need to find out how many inspections are done annually and also what kind of promotion and experiments are being done with non-chemically based products. We should find this out from the Department and then maybe we could engage with Mr. Walsh and others in a little while again.

I thank the witness again for his attendance and answering the queries. Well done.

Senator Eugene Murphy: Mr. Walsh is very welcome. I am quite impressed with what he is pursuing, we are all impressed. He must have a background in this type of issue.

Mr. James Walsh: I studied natural medicine for a while in college. Other than that, once I started the petition I researched every bit of relevant legislation.

Senator Eugene Murphy: Does Mr. Walsh work in natural medicine or in the horticultural area?

Mr. James Walsh: Not at the moment. I am kind of looking for a job and in between jobs. I would not mind doing something like selling vegan supplements or something like that.

Senator Eugene Murphy: I am only asking because Mr. Walsh seems to have a very good knowledge of this. What he is doing is very welcome.

Mr. James Walsh: I eat organic food and know the difference between pesticides and organic products etc.

Senator Eugene Murphy: He obviously has a great love for the environment.

Mr. James Walsh: Yes, I love the environment.

Senator Eugene Murphy: I hope Mr. Walsh does not mind me asking those questions.

Mr. James Walsh: Not at all.

Senator Eugene Murphy: It is always interesting to find out people's background. I am from a horticultural background and I studied it in college. I will not say I know a lot but I know something about this business. I have had an issue with many of the weedkillers, such as those like Roundup that have a glyphosate base, over the past ten or 12 years. I like to see their use reduced wherever possible.

As Deputy Devlin has said, there must be balance, but I can get really annoyed when I see a stretch of road that has been sprayed for a quarter or half a kilometre. The spray might have got rid of weeds but it will also have done damage to insects and other plant life. When we study this, we always have a mind for it and would always be thinking about things like that. I missed the start of Mr. Walsh's contribution but I presume he is mainly talking about local authorities, or is he more concerned about individuals?

Mr. James Walsh: It is both. A significant portion of public areas are sprayed by non-public bodies, or essentially private users. It is, collectively, a big problem. We could walk down the road from a local village and many residents will have sprayed their part of the road. We could end up on a GAA pitch that has been sprayed and in a shopping centre or hotel the car park might be sprayed. It happens in many different places, including businesses like car dealerships. We can see it particularly in caravan parks with holiday homes. Wherever people are maintaining grass it can be used but according to law it should not be used there. It is just that people do not know about it. Its use by private parties is a big part of the issue but there is also the question of its use by councils. They are both significant and almost equal in importance.

Senator Eugene Murphy: One of the issues in rural areas is the prevalence of blind corners, where there can be much growth in summer. I suppose local authorities face the challenge of making these safe for motorists, pedestrians and cyclists. Again, I do not like to see such corners sprayed but I presume such an area could be trimmed to ensure safety, which is a prime concern. It is about safety when it comes to road use.

Mr. James Walsh: On secondary and primary roads, the councils have cut out much of this type of spraying. It still persists in some areas almost out of habit. Alternatives are being used. For example, in the county where I live there was some use not so much in the city but the countryside. In November, spray was used along the roads and in circles around road signs. There was spray used around housing estates. It seemed to be everywhere. I thought that we were lucky that many councils were stopping its use and they might not do it any more. The roads department seems to have stopped spraying and is using alternatives. The other local authority department is still using it in estates in front of people's houses and the playground, however. They are probably not aware of the letter or have not been talking to anybody about it. They are able to control such growth without these sprays and that has been done successfully for the past year in many places. It can be done.

Senator Eugene Murphy: I totally subscribe to what Mr. Walsh is saying about that type of spraying near playgrounds and residential areas. Apart from the damage done to plants, there is also the question of the effect it may have on human life and people. Personally, I believe it will be found in time that they have an effect. I know there is some research indicating that is true.

Correct me if I am wrong but did Mr. Walsh mention Carrick-on-Shannon? There was an issue with spraying there. I ask this because part of Carrick-on-Shannon comes under Roscommon County Council and part comes under Leitrim County Council. I know in Roscommon they have cut out much of this spraying in recent years and it is very into biodiversity now. Are there any details about where the spraying in question happened in Carrick-on-Shannon or is

that a fair question to ask?

Mr. James Walsh: It was a couple of years ago. I do not know what political party Mr. Warnock belongs to.

Senator Eugene Murphy: He is on Longford County Council.

Mr. James Walsh: Yes. He said he helped with the petition at the time. When I started this petition I was doing some research and he said he had a petition for the local council with 1,300 from Carrick-on-Shannon. Nearly everybody signed it and they went to the council together, demanding that it stop the use of the spray. It did so, I believe. That was a couple of years ago.

Senator Eugene Murphy: There is weeding technology and new ways of doing this work. That is really good and it is the way we must move. Are companies in Ireland promoting this or can machines be bought through a company in Ireland? Are they expensive?

Mr. James Walsh: There are two companies in Ireland that I know. There is one in Stradbally in County Laois called Furlong Equipment Services. That is run by Mr. Noel Furlong and he imports them from England. There is an electric version. They normally run on diesel but there are also smaller electric versions. There is a guy near Castlemaine or Castleisland in Kerry. I do not know the name but I know Furlong Equipment Services has a Facebook page with information. It has a website at www.herbicidefree.ie and it has information about invasive species as well. I was invited to see the company and did so as part of my research. He let me try it and the machine uses vegetable oil and hot water to loosen moss and things like that. It is completely safe. He was able to rub the ingredients on his tongue and hair. It is organic vegetable oil and animals can touch it or children can walk over it with no problem.

Senator Eugene Murphy: It is clearly far safer.

Mr. James Walsh: Yes.

Senator Eugene Murphy: Some of my colleagues, including Deputy Buckley, have asked what we can do to help and one suggestion was to write to local authorities. It is a good suggestion. Is there anything else Mr. Walsh thinks we should be doing to get rid of this practice where possible? We should definitely introduce more environmentally friendly systems. I live in Strokestown. Deputy Devlin might tell us O'Connell Street is the widest street in Europe but we have that. We have a problem with keeping weeds controlled on footpaths etc. If anything destroys the look of a town, it is overgrowth of weeds, particularly on streets and footpaths. We need newer and definitely more environmentally friendly methods. Apart from writing to the local authorities to ensure they are implementing the law, could Mr. Walsh recommend anything else to us?

Mr. James Walsh: Is the Senator asking what to use as an alternative?

Senator Eugene Murphy: Yes, or how we should proceed with the local authorities and the public on the safer methods and adherence to the laws that are already there.

Mr. James Walsh: First, something like what is done in Holland would be a very good direct alternative in getting rid of the grass growing out of kerbs. There should probably be a task force designated just for that, perhaps in every city and town. Guys used to go around in vans with shovels, hoes and strimmers and used to go along the kerbs, like they do in Holland. They jump out of their vans and clear the weeds along the kerbs. They might do ten estates in a day or

something. Other than that, maybe the foam would work. I do not know how well it works in Dún Laoghaire, but lots of countries are able to do that and to keep places clear of weeds. You do not see weeds growing there. They do that without herbicides. Holland is therefore probably a good country to look at to see how this is done. I am not sure about Foamstream. In some areas there are still a lot of weeds growing, even though Foamstream is used. The cost of it is probably another reason. The councils probably do not have that many machines for it running at any one time. It is like anything else. I have talked to different golf courses as well. Some golf courses do not use any pesticides and some do. The ones that do not use pesticides said it is all down to daily labour. People maintain the courses every day by mechanical, manual ways and there is no need for pesticides then. If, however, nobody maintains the courses, weeds will grow. This can be done by alternative means, but somebody has to do it mechanically and manually or else the weeds will just grow. It might require extra workers. I do not know.

Second, and very importantly, I spoke earlier about a way to eradicate the practice of private users spraying public areas. It is a matter of making them aware in the shops from which they are buying the herbicides with signs stating that that is illegal.

Chairman: Mr. Walsh is giving us the alternative. What could we as a committee do? Deputy Devlin said we will write to the Department but, specifically, outside of that, is there anything Mr. Walsh would recommend? Perhaps the committee could go to the Department or write a letter to the local authorities stating that X, Y and Z works in Strokestown or wherever else-----

Mr. James Walsh: So it should work in every town.

Chairman: -----and should be implemented all around the country. Is there something outside of that letter that Mr. Walsh feels the committee can help with?

Mr. James Walsh: Is the Chairman referring to local authorities or the Department?

Chairman: We have agreed to write to the local authorities and to the Department. Outside of a letter, though-----

Mr. James Walsh: That is perfect. If it works in A, it should work in B. It cannot be said that it does not work if it already works in A. With private users, the most important thing is, as a couple of people mentioned, public awareness. If a person goes into a shop with the intention of spraying his own garden, that is grand. There are no restrictions on that. If, however, he intends to spray a public road verge where people walk every day, a caravan park out of which he hires caravans or a restaurant beer garden that hundreds of people visit on weekends, sitting outside and lying on the grass, he should be able to see the warning signs in the shop stating that that is illegal, according to SI 155/2012. Once people know, the practice will be cut out straight away. It is similar to the smoking ban. People know smoking in pubs is illegal because the public awareness is there. That is important.

Chairman: I know what Mr. Walsh is saying about rural areas and letting the pollinator flowers and so on grow. I assure him, however, that if weeds start to grow on the footpaths in a housing estate, we as public representatives will be hit with demands to get the council up and to get rid of them, no matter how. I know from experience - and I am sure the other members will tell Mr. Walsh the same - that the first thing local authorities will tell us is that they do not have the manpower. I think the best option to go for, therefore, is the foam spray or something like it. I can mention this to Tipperary County Council's Joe McGrath but he will tell me straight up to

go away, that the council does not have the manpower to do the work. We will give the councils the options. Mr. Walsh has told us how this works in Holland, but I think the best hope we have of changing the councils' attitude is to go for a different machine or something. I would love to see more manpower, and I am sure every supervisor in Roscommon, Cork and everywhere else would love extra men, but at the minute there is very little chance of that.

Deputy Cormac Devlin: I am reminding myself of the response from the Secretary General of the Department of Agriculture, Food and the Marine, Brendan Gleeson. It touches on what we talked about earlier. He speaks about pesticide use in public areas and the current situation. I note that he states that if a product authorised for professional use is intended to be used, it can be applied only by a Department-registered professional user. Going back to the non-chemical products, Mr. Walsh might be able to assist in that regard because of his experience. Senator Murphy is correct that Mr. Walsh obviously has a real grá for and an interest in the topic. It would be good to identify a number of non-chemical products that could be recommended to the Department. Ultimately, if the Department takes the lead on this, the local authorities will follow. The Department goes on to state in its response that there is best practice in responsible pesticide use in public areas. That is a guidance document the Department produces. That is one point.

The second point is that the reply goes on to state that there is currently a robust EU legal framework for placing on the market the use of pesticides and that the EU is responding to the concerns of member states in a more harmonised approach to deliver fully on the ambitions of sustainable use of pesticides. In tandem with what the Department is doing, the committee, on foot of Mr. Walsh's petition, should correspond with the Department, not only about the inspections but also about whether it is trialling non-chemical products and whether it recommends them on its list for professional contractors. That might also assist because it is in line with Mr. Walsh's recommendations to the committee. One point is about the warning signs, and that is fine. Maybe an information campaign could be good, particularly around April and May every year, as the growing season comes on. Mr. Walsh said all city and county councils should adopt the same policy. I agree with him on that. He is right that if it works in one area, it should work in them all. The problem, however, going back to the Chairman's point, is manpower. We can have all the machines we want but we need people to drive them regularly. Mr. Walsh's experience in Holland is fine if they have the crews to go out regularly, but we find there are long stretches of road that do not get the attention they need and people give out about them. As I said earlier, there is a balance to be struck here. We have to be cognisant of biodiversity as well. We cannot kill everything that is growing that we do not like the look of. That is not good either.

To Mr. Walsh's third point about the non-chemical alternatives, that is where he can assist, as well as the committee corresponding with the Department, to try to recommend more non-chemical-based products. Let us see whether the Department is trialling them - we do not know - and how many inspections are being undertaken. Then, when we get the response, we might engage again with Mr. Walsh.

Chairman: Is there an issue with how local authorities make decisions to allow for spraying in sensitive areas? The Department responsible for enforcing the legislation may or may not inspect or judge the risk assessment documents afterwards. I would like Mr. Walsh's opinion on that.

I have been on a scheme with about 20 others. We spent half a day using the spray equipment, with each of us using it for five minutes. After just half a day's training, we got a docu-

ment stating we were able to spray, taking into account wind and the whole lot. I could spray here and it could destroy the whole room. Does the matter of who gets a licence to spray, especially in public areas, need to be tightened up as well? As Mr. Walsh said, if it is in a person's own place, it is not going to do any harm.

Mr. James Walsh: Yes.

Chairman: However, we have people with certificates indicating they have done a course.

Mr. James Walsh: There is a booklet from the Department of Agriculture, Food and the Marine called Straight A's for AMENITY on safe spraying in public amenity areas. I do not know if that booklet was designed before or after 2012 but it does not mention Articles 11, 12 or 22 of the statutory instrument. It gives the user no knowledge of any existing law. That is a problem. The letter I received from Cork County Council stated the council wants to continue using herbicide in public areas and may eliminate it in future years. It stated the council was fully compliant with the SUD, which is not the case. I have the directive here and it mentions Article 12. The letter referred to the council operating under the guidance of Straight A's for AMENITY. This is just a little guidance booklet for those who are on the ground spraying. It informs users to be careful there is nobody walking around and not to go too close to water. It does not mention Articles 11, 12 or 22 of the statutory instrument. The booklet does not match up enough with the legislation.

Chairman: Should risk assessments be done before spraying begins? Most of the time when spraying is carried out a risk assessment is done and handed into the Department. We do not know if the Department ever looks at the risk assessments. Should risk assessments be done and clearance given before any pesticides are sprayed? Is that feasible given staffing levels and the resources available to councils? Does Mr. Walsh propose an alternative way of monitoring how the risk assessments are done in the lead-up to pesticides being sprayed in any particular area?

Mr. James Walsh: I think it is rare, to be honest. They probably look at it sometimes. From another media article, a woman wrote an article about me in a small online news outlet. It was quite popular. A lot of people looked at it. She said she contacted a lot of councils to find out more about it and, as I said, they do not have documented evidence to say how much they sprayed and why they sprayed. They do not have that information. They do not fill it out. They just do it out of pure habit. They hire some guy and they do not even know what the guy has done. Councils hire a contractor and he can do what he likes. They do not even know themselves what it looks like, probably. I was talking to a guy from the roads department where I live. He was sound, actually. He was one of the people who was engaging with the emails and was interested. He did not even know what a road looked like when it is sprayed. He was asking me what roads were sprayed. I told him all the roads had been sprayed and asked him had he not see it since he had hired the contractor. He said he did not know what it looks like and he had just hired the guy.

Chairman: Yes. Will Mr. Walsh discuss with us the use of plant protection products, PPPs, in food production and what his stance is on that?

Mr. James Walsh: As I said, I eat organic because I am looking at research and studies and I watch different things. My father eats organic. That is how it started, actually. My father was always telling me organic is much better. I researched the difference between pesticides and organic and there are a lot of laws in place in the EU, even when it comes to food, that we should

be moving towards organic. Even the hospitals should be testing for pesticides, by European law, and I do not think it is being done.

Chairman: Has Mr. Walsh engaged with the EPA about this and, if so, what was its response? How do we compare with other countries in Europe?

Mr. James Walsh: I have tried to contact a lot of people but I have not managed to talk to the EPA as much. I rang the EPA at one stage and was told to ring the Department of Agriculture, Food and the Marine's pesticide control division. I do not know whether it was the EPA that sent me on the number. I was dealing with the EPA briefly on the phone and I think it was the agency that told me to get on to the Department. There was one instance where, similarly to what the Chairman was saying, a guy who did a one-day spraying course sprayed all around the water treatment centre where I was living. That is illegal according to Article 11 of the same statutory instrument. It depends on how many people live in the village but spraying is not allowed within anything from 50 m and 200 m of a water treatment plant. He sprayed right around it, including all the buildings, where the water goes into the river and everywhere. I complained to Irish Water and the council got back to me the next day. I do not know if I am allowed to mention any cases but it rang me up the next day. It inspected 14 water treatments centres in north Cork afterwards and the guy who did it got a warning. Even though he did a one-day spraying course, what he was doing was completely illegal. He had no knowledge of the legislation.

Chairman: He had no knowledge of the legislation. That is why I was asking Mr. Walsh about this earlier. I am sure hundreds, if not thousands, of people on schemes have done these courses and they still do not know what the actual regulations are.

Mr. James Walsh: No, they do not.

Chairman: They are shown how much to mix.

Senator Eugene Murphy: I will make two brief comments. The Chairman covered some of the issues I intended to raise. Sometimes local authorities are placed in a no-win situation, mainly in the context of rural roads. It is a health and safety issue on an acute bend. Mr. Walsh will know how it is. In summertime, wild parsnip and other plants grow out onto the road, which means walkers and cyclists have to move out from the roadside. The initial reaction to that sometimes, particularly if people complain, is to spray it off. Maybe if councils have to take that sort of action, they should cut back the vegetation rather than spray it.

Mr. James Walsh: Yes.

Senator Eugene Murphy: That is one solution. It is true people do not like to see some vegetation cut back but I am thinking of where it is a health and safety issue.

As part of the green and environmental debate taking place all over the world and the discussion on saving the planet, it is extraordinary what is going on with technology. There are all these new products coming on the market. We will see more and more products that are safer, environmentally friendly and will not have the effect products like Roundup do. I studied this for years and I honestly believe the more some of these weeds are sprayed, the worse they come back the following year. Spraying might kill them for a while but they seem to expand. Maybe Mr. Walsh will give us his thoughts on that. There is so much new thinking and so many new developments going on that we will probably see far safer products coming to the market in the short term.

Mr. James Walsh: Yes, probably. We see a lot more organic food and stuff in the supermarkets, so it is kind of going that way. The legislation provides that alternatives have to be prioritised, documented evidence is needed and spraying should not be done in public areas. In the European legislation, Directive 2009/128/EC, states that spraying is particularly dangerous. In the introduction of the directive on which the SUD is based, it states it is particularly dangerous to spray in areas used by the general public. It outlines that it is specifically dangerous for children, elderly people and vulnerable people with underlying illnesses. Article 3 of the main European legislation states that. All the legislation says not to use it.

Deputy Emer Higgins: I apologise that I had to leave to head into the Chamber. I want to say a huge thank you to our witness today. He has obviously put an awful lot of thought and legal research into this. It is also great he is able to share his own lived experience from Holland with us. In terms of Mr. Walsh's three recommendations, his first was with regard to the legislation that is in place already and that it should be better communicated, with perhaps warnings on the pesticides as they are purchased or at the point of sale. I totally agree with Mr. Walsh on that. That is a practical suggestion that could definitely make a big impact and increase awareness as to what the rules are currently and what is safe and unsafe and legal and illegal.

Mr. Walsh's second recommendation was in terms of all local authorities following the path of Cork City Council. Each local authority has its own jurisdiction when it comes to these things. However, if we were to look at that blanket synergy, if you like, we would probably need a directive or ministerial order. I would certainly be interested to hear more. I do not know if we have further plans as a committee. I know it is in some of the documentation referenced by the Department of Agriculture, Food and the Marine but I would still be interested, nonetheless, to hear from the Department of Housing, Local Government and Heritage on this as well to see whether it thought that would make sense.

In terms of the non-chemical alternatives, Mr. Walsh referenced the UK-based experience of a vegetable oil-based alternative, which is used approximately every six weeks during growing season. Forgive my ignorance but does Mr. Walsh know the current situation in terms of how often farmers have to spray pesticides? It is just to give me that background knowledge.

Have any reports or analyses been done in the UK in order that we could maybe learn from its experience, see what is working and not working, what needs tweaking, or whether there is something we could just lift and shift and work away with here? Much research has been done on this. I know at an EU level the farm to fork and biodiversity strategies are and will be Ireland's guiding principles on this. An awful lot of work is being undertaken at an EU level. The plan is to have 50% less pesticides in use in eight years' time and to reduce that overall risk of chemical pesticides by 50% in eight years. My understanding is the European Commission is finalising a proposal around the sustainable use regulation to replace the sustainable use directive and that will come into force here. Is that something on which Mr. Walsh has any insights? I know he is not necessarily an expert in this field, if he will forgive the pun. I compliment the amount of research he has done, however, so he may well have research on this as well.

Mr. James Walsh: Does the Deputy mean by the first question how much the farmers are spraying for their food or if they are spraying outside?

Deputy Emer Higgins: Mr. Walsh said the vegetable oil-based alternative, which I believe is called Foamstream, is successfully used in the UK to eradicate invasive species and is applied every six weeks when plants are small to medium-sized during growing season. Where farmers are currently using pesticides, how often is it sprayed? I am trying to ascertain whether there

will be labour intensification or more work involved.

Mr. James Walsh: The question around it being used every six weeks is only about the invasive species. Foamstream is used for normal grass maintenance, similar to pesticides, two or three times per year. It is only the invasive species that have to be treated every six weeks because they need to be treated when they are small to medium-sized. They need to be treated more regularly to make sure they do not grow too big. Invasive species make up a very small percentage of the reason people spray in public areas. It has normally just been injected in most places with pesticides. It is not, therefore, the biggest problem. They should by law also be using alternatives to that but it is down at the bottom of the severity of problems. Definitely with the invasive species, however, Foamstream would be used every six weeks because plants are small to medium-sized. I do not know how many times they need to apply pesticides on invasive species currently. I think maybe if they inject it once, that will go down to the root. I am not sure; I really do not know. I have been told by people who are very knowledgeable about Foamstream that it tends to work better. Like another man said, plants grow back wilder again with pesticides but with the Foamstream, the oils go down into the root. They actually nourish the insects in the ground as well because it is organic. It is less likely for the invasive species to come back up. That is what I was told.

Deputy Emer Higgins: Okay. We hope to have the Department of Agriculture, Food and the Marine in before the committee. It may have done some surveys or studies on it. Does Mr. Walsh know the price point difference between the two alternatives?

Mr. James Walsh: I really do not, no. I was told it was the same by some people. I rang up the woman who hires out the trucks in Dublin. I am not sure if it was the same company but she said that Foamstream came out on top of all things but that it was more expensive. According to her, it was more expensive than pesticides but it did not take into account other costs associated with pesticides. It was purely the cost of the foam itself and stuff like that. It did not take into account the cost of labour versus the cost of insurance with pesticides and also much of the time, people show up with pesticides in bad weather and they might have to cancel a day or whatever. Foamstream can be used in different types of weather. I think it cleans chewing gum off the streets as well. It has different functions. I am not too sure. She reckoned it was slightly more expensive. The guy who is distributing it reckons it is the same, so I do not know.

Deputy Emer Higgins: Okay. That is something we may be able to find out for sure at our next deliberations. With all the talk of the cost of living, it would be interesting to see. I thank Mr. Walsh for answering my questions and for being here today.

Chairman: To clear it up, before Mr. Walsh came in, we agreed we would write to the Department and maybe even the local authorities to put to them what has been suggested. Did Deputy Devlin have something else to add?

Deputy Cormac Devlin: Mr. Walsh mentioned the Straight A's for AMENITY booklet, which is a fair question, perhaps, to add to our letter as well. This letter to the Department is getting longer by the minute, but in fairness some of the things Mr. Walsh touched on today were not responded to or highlighted within the Department's response. Obviously, they were not highlighted in Mr. Walsh's original petition. This is coming out in our discussion, which is helpful. It would be good to know when the booklet was actually produced, however. It does not reference section 12 of SI 155 of 2012, which Mr. Walsh mentioned. It would be useful if we could establish that. Mr. Walsh is right in saying that if the booklet were updated, if it has not been already, then that could do some of the work we are actually talking about and people

would be informed about what they should and should not do. Ultimately, the vast majority of people want to comply. Mr. Walsh mentioned the product. I have had experience of this in the past while. The vast majority of people are looking for non-invasive chemicals to use. They do not want to do any harm. That is where we need to make sure the Department is trialling those. If we can get those responses from the Department in that correspondence, that will help and it might inform our discussion.

Chairman: I asked Mr. Walsh earlier how we compare with the rest of Europe. Is there any kind of table that shows the first 20 countries or similar?

Mr. James Walsh: From what I have researched, in those countries like the Netherlands, Belgium, France, Portugal, Italy and Malta, it is banned in public areas. There is no spraying in public areas at all.

Chairman: Is it safe to say we are kind of mid-table?

Mr. James Walsh: I would say we are probably similar to England. From what I have been seeing on Facebook pages and hearing, I think there is a problem in England as well in some places. I think it is the same. In many ways, Ireland is doing the same in trying to comply with the sustainable use of pesticides directive, SUD. Many countries are ahead such as those I mentioned earlier. Some countries such as Holland have even banned pesticide sales outside of agricultural use. A person cannot even buy it for the garden. It is just for agricultural use. In those countries, it is not sprayed by councils and things like that.

Chairman: Mr. Walsh mentioned sales. I remember when we were doing the scheme, Roundup was in bigger drums. We were told that if it was under a certain amount, it could be sold and, suddenly, all the hardware stores started getting the smaller drums.

Mr. James Walsh: Yes.

Chairman: I do not want people to pick me up wrong because I appreciate the work Tidy Towns and the like do throughout the country, but are Tidy Towns groups using pesticides?

Mr. James Walsh: They could be, but I do not know.

Chairman: I am asking because, if Tidy Towns groups were involved in getting rid of these pesticides with local authorities, it would make a major difference.

Mr. James Walsh: It would.

Chairman: We see the great work the groups are doing in every town and village.

Mr. James Walsh: If Tidy Towns groups were aware of the legislation and so on, it would make a significant difference. I have heard time and again from people, and experienced it myself, that residents associations spray housing estates. I complained to the residents association of a place where I was living and told it that it could not spray, but it sprayed the playground and the rest of the housing estate. It got some random guy to spray pesticide. When I drove past one day, he even sprayed it over my tyres. He had no clue. I told the association that was illegal. I made a video. I am not sure whether it was followed up on because the pesticides control division of the Department did not say whether it had done so, but I do not believe the residents association sprayed it anymore after that. I have heard from other people that other residents associations were also spraying pesticides. Bringing Tidy Towns on board would be good.

Chairman: Perhaps that is something our committee can take on board. I do not have further questions. Since no other members are indicating they wish to contribute again, would Mr. Walsh like to make a closing statement?

Mr. James Walsh: I thank members for their time and for taking this matter seriously. I am glad to be here and to have been invited.

Chairman: On my own behalf, I congratulate Mr. Walsh on his work. From listening to members at this meeting, I can tell he has opened our eyes to things we were not aware were happening. It was suggested we write to the Department and local authorities.

Mr. James Walsh: That would be great.

Chairman: We will stress the point. It was also suggested Mr. Walsh return to us at a later date.

Mr. James Walsh: Yes.

Chairman: He might keep in touch with our secretariat and provide us with any information we need.

Mr. James Walsh: Yes.

Chairman: I hope Mr. Walsh will be back before us not too long down the road and that we will have had good results.

Mr. James Walsh: I thank the committee for everything. I appreciate it.

Decisions on Public Petitions Received

Chairman: We have five petitions for consideration. Petition 14/22, on raising the upper age limit in the Defence Forces, is from Mr. Stephen Martin. The petitioner considers that current upper age limits for joining the Defence Forces are restrictive and, as a result, there is a risk the Defence Forces are missing out on suitable candidates who are keen to join but cannot because of their ages. The committee secretariat wrote to the Department of Defence about this petition and the Department responded, providing information on the current age limits for general service, technicians, cadets and certain specialist positions. The Department advised there are no plans to change the upper age limit. The recommendation is the correspondence from the Department be forwarded to the petitioner for comment and that we consider adding this to our work programme for the coming year, should time allow. Do members have views on this?

Deputy Pat Buckley: I agree with that recommendation, but the Defence Forces is not all about heading out with a gun or tank. There are possibilities. I have encountered people who are fully qualified engineers, mechanics and the like but who, because of their age, have not been allowed to join the Defence Forces. This matter should be looked into and I would like to revisit it. In cases where people have expertise that would be an asset to some part or other of the Defence Forces, it should be allowed.

Chairman: Are we agreed that we send the Department's correspondence to the petitioner for comment and that Ms Semple and the rest of the secretariat add it to the work programme, if time allows?

Deputy Pat Buckley: Agreed.

Chairman: Petition 19/22 is from Mr. Joseph Guerin. The committee secretariat advises the petition is deemed inadmissible, as per committee Standing Orders, and the secretariat will notify the petitioner of our decision. Do members have views on this?

Deputy Pat Buckley: Agreed.

Chairman: Petition 24/22, on a 100% redress compensation scheme for victims of defective concrete blocks and aggregate and not a grant, is in the name of Ms Mary Morrison. This petition is about houses that are affected by defective blocks and aggregate such as mica and pyrite. The petitioner has concerns about the proposed Government redress compensation scheme and questions about planned legislation, namely, the defective concrete blocks redemption Bill. The committee secretariat wrote to the Minister for Housing, Local Government and Heritage, Deputy O'Brien, about this petition. The Minister has responded with details of interim enhancements to the defective concrete blocks grant scheme and has advised that he aims to introduce primary legislation in the Oireachtas as soon as possible to give effect to the enhanced scheme. The recommendation is the correspondence from the Minister be forwarded to the petitioner for comment and the secretariat respond to her questions about proposed legislation inasmuch as it can. Do members have views on this?

Deputy Pat Buckley: That is where we are.

Chairman: To make the committee aware, there is also a petition before the Joint Committee on European Union Affairs on this matter and legislation is in the pipeline. Is it agreed?

Deputy Pat Buckley: Agreed.

Chairman: Petition 43/21, on supporting access to employment for non-EEA PhD students' spouses, is from Mr. Fernandos Ongolly. This petition was brought to the attention of the Department of Justice by the committee secretariat. The Department has responded by stating that non-EEA nationals who wish to come to Ireland to work are generally required to seek an employment permit first, following which a visa may be granted, if required. Exceptions to this are limited. The Department has provided additional information in this regard. The recommendation is the Department's correspondence be forwarded to the petitioner for comment. Does any member wish to comment or is it agreed?

Deputy Pat Buckley: Agreed.

Chairman: Petition 2/22, "Homelessness is Cancer - blocked up houses are not a cure", is in the name of Mr. Eamon Broughan. This petition was submitted on 28 January and relates to a housing estate in Kildare where houses were bought by the county council several years ago and have been blocked up since. The committee secretariat contacted Kildare County Council about the petition three times but did not receive a response. During this time, the petitioner contacted the secretariat seeking updates. The recommendation is, first, that direct contact be made with the interim chief executive of Kildare County Council, Ms Sonya Kavanagh, to determine whether she received the correspondence from the secretariat; second, that once that is established, the clerk should write directly to Ms Kavanagh seeking a response within 14 days the committee; and third, that we respond to the petitioner advising him of the first and second parts of this recommendation.

As we discussed during private session yesterday, the secretariat has tried hard and been ful-

ly on top of this matter in recent months. Three months without a reply from any Department or local authority should not be tolerated. That is why a period of 14 days is being recommended. The amount of work our secretariat has put into trying to get answers needs to be recognised. Do any other Members have a view on this, or is that agreed?

Deputy Pat Buckley: I agree with you, Chair, and echo what you said. It is an absolute disgrace. Our case workers have enough work to do. To be waiting nearly three months for a reply is not good enough. The committee, by which I mean the secretariat, the researchers and everybody else, has a responsibility to assist those people who depend on us. To be waiting three months for a reply is ludicrous.

Deputy Emer Higgins: I agree with Deputy Buckley. I am on another committee that wrote to each of the political parties that receive State funding to invite them before the committee and we did not get a response from at least one political party that receives funding from the State and that is represented in this building. It can be extremely frustrating for members of committees when there is not co-operation, particularly when we talk to public authorities, which is ultimately what a local authority is. I therefore fully support the recommendation and share the frustrations of the secretariat. I am sure it is a really difficult job when it is constantly chasing after people and getting nowhere. I think you are right, Chairman, to make contact with the interim chief executive and right about the 14 days. Well done.

Chairman: I take it that that is agreed.

That concludes our consideration of public petitions this afternoon. I invite members of the public to submit petitions via our online portal, *petitions.oireachtas.ie*. A petition may be addressed to the Houses of the Oireachtas on a matter of general public concern or interest or an issue of public policy.

No. 4 on our agenda is any other business. Would members like to make any final comments?

Deputy Pat Buckley: I again thank everybody, including all the members and the secretariat. Today was very interesting - again. You learn something new here every day, but I do not think people realise how busy this committee can be and what happens in the background.

Chairman: I echo that. Coming in today, I did not know what we were facing into. I found it very interesting to hear all the views from Cork and Kildare up to Roscommon. I thank the secretariat for all the work it has done for us.

The joint committee adjourned at 4.03 p.m. until 11.30 a.m. on Wednesday, 25 May 2022.