



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**DÁIL ÉIREANN**

TUAIRISC OIFIGIÚIL—*Neamhcheartaithe*  
(OFFICIAL REPORT—*Unrevised*)

Thursday, 4 May 2006.

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# DÁIL ÉIREANN

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*Déardaoin, 4 Bealtaine 2006.*  
*Thursday, 4 May 2006.*  
 —————

Chuaigh an Ceann Comhairle i gceannas ar 10.30 a.m.

—————  
*Paidir.*  
*Prayer.*  
 —————

## **Requests to move Adjournment of Dáil under Standing Order 31.**

**An Ceann Comhairle:** Before coming to the Order of Business I propose to deal with a number of notices under Standing Order 31. I will call the Deputies in the order in which they submitted their notices to my office.

**Mr. Connolly:** I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the inordinate delay in the introduction of a national immunisation database to replace the existing 50 separate databases which result in the duplication of patients' vaccination records; the failure of the Health Service Executive to sanction the €19 million required for the project; the consequent difficulties created for agencies such as the National Disease Surveillance Centre in endeavouring to estimate uptake rates accurately; and calls on the Government to resolve these difficulties forthwith by expediting the provision of the national immunisation database as a matter of urgency.

**Mr. Gogarty:** I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the need for resources to be allocated to deal with the problems of anti-social behaviour, vandalism, violence and intimidation being experienced by ordinary working people in many housing estates, including, for example the possibility of setting up a special Garda response unit to work with community gardaí in tackling these issues case by case.

**Mr. Healy:** I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the need for the Minister for Communications, Marine and Natural Resources to withdraw the staff cutbacks imposed by him on regional fisheries boards, including the reduction of 1.5 whole-time equivalents from the Southern Regional Fisheries Board. As these boards already operate on a

shoestring budget and are increasingly unable to meet their service demands, the cutbacks will cripple the regional fisheries board. I call on the Minister to withdraw these cutbacks and make a statement on the matter.

**Ms McManus:** I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the claim by Judge Harding Clark that the Health Service Executive had failed to implement many of the recommendations contained in her report of the inquiry into the hysterectomies carried out at Our Lady of Lourdes Hospital, Drogheda, and the need for the Tánaiste and Minister for Health and Children to report to the House on the steps she intends to take to ensure all recommendations of the report are promptly implemented.

**Ms O'Sullivan:** I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, the need for the Minister for Education and Science to review the operation of the new weighted model of allocation of resource teachers to children with special learning needs in light of its negative effect on schools, such as St. Michael's, Inchicore, which have a high number of such pupils.

**Mr. Sargent:** I seek the adjournment of the Dáil under Standing Order 31 to raise a matter of national importance, namely, to hear how the Corrib gas pipeline plan is still a threat to the people of Rosport, how the people of Ireland will not benefit from the gas coming ashore and how the Government needs to face up to making ends meet for Ireland without relying on fossil fuels as a matter of national responsibility and in the interests of global peace, stability and sustainability.

**Mr. N. Dempsey:** More hot air from the Green Party.

**Mr. Gogarty:** The Minister is a gas man.

**Mr. F. McGrath:** Chavez Dempsey.

**An Ceann Comhairle:** Having considered the matters raised, they are not in order under Standing Order 31.

## **Order of Business.**

**The Tánaiste:** It is proposed to take No. 11a, motion on referral to joint committee of proposed approval by Dáil Éireann of the Freedom of Information Act 1997 (Prescribed Bodies) Regulations 2006; No. 11b, motion on arrangements to facilitate Europe Day; No. 17, National Sports Campus Development Authority Bill 2006 — Second Stage, resumed; and No. 18, Energy (Miscellaneous Provisions) Bill 2006 — Second Stage, resumed.

[The Tánaiste.]

It is proposed, notwithstanding anything in Standing Orders or the Order of the Dáil of 3 May 2006 that Nos. 11a and 11b shall be taken before Private Members' business and shall be decided without debate. Private Members' business shall be No. 48, motion on oil and gas sources of energy in Ireland, resumed, to be taken immediately after the Order of Business and to conclude after 90 minutes.

**An Ceann Comhairle:** There is one proposal to put to the House. Is the proposal for dealing with Nos. 11a and 11b without debate agreed?

**Mr. Kenny:** In respect of No. 11a, I welcome the addition of another 137 bodies to the remit of the Freedom of Information Act. What date will this become applicable? Is it the Government's intention to restore the Act to its original form? Its operation is very restrictive because of changes brought about by the Government. Will an extra person be appointed to the county enterprise boards to be in charge of freedom of information requests? Will that work be done by individuals already employed on the boards? The boards are very much strapped for cash.

**Mr. Rabbitte:** In matters not pertaining to security, does the Government intend to have the Garda Síochána come under the remit of the Act?

**Mr. Boyle:** Does the Tánaiste accept that it is the depth of the Freedom of Information Act that the House needs to debate rather than referring it to committee? The committee already has had considerable discussions with the Information Commissioner who has expressed her concerns about the operation of the Act. The Council of Europe has indicated fees for freedom of information requests are undemocratic. On those grounds, could the Government provide time for discussion of this wider issue on the floor of the House instead of constantly referring motions of this type to committee?

**Caoimhghín Ó Caoláin:** While welcoming the proposition to ensure there was a further list of bodies brought forward — the Garda Síochána has been mentioned but neither do the vocational education committees come under the remit of the Freedom of Information Act 1997 — can the Tánaiste indicate when it is intended to progress the inclusion of the VECs and a number of other bodies highlighted at the Committee on Finance and the Public Service in recent months?

**The Tánaiste:** They come into effect when the Minister signs the regulations subsequent to the approval of the Oireachtas. I will clarify that if it is not correct. The general rule is that an officer in the agency or Department is appointed by the Secretary General or CEO as the freedom of

information officer. I do not know if additional resources are required for every entity but it is the responsibility of the management in these organisations to appoint an officer who will be responsible for freedom of information matters.

The Government has not extended freedom of information to the Garda Síochána and I do not know if there are plans to do so. It is difficult to separate security issues from operational issues in the Garda Síochána but the matter will be discussed in due course.

**An Ceann Comhairle:** Is the proposal for taking No. 11a without debate agreed?

**Mr. Boyle:** I asked questions to which the Tánaiste has not responded on the concerns of the Freedom of Information Commissioner and the opinion of the Council of Europe that fees charged under the freedom of information regime are undemocratic.

**An Ceann Comhairle:** This does not arise. This a procedural question about taking the issue without debate.

**Caoimhghín Ó Caoláin:** Why does the Tánaiste only answer the Fine Gael and Labour Party representatives? Does she not recognise any other parties?

**An Ceann Comhairle:** Is the proposal for dealing with No. 11a agreed? Agreed.

**Caoimhghín Ó Caoláin:** It is a gross discourtesy on the part of the Tánaiste.

**Mr. Kenny:** Deputy O'Dowd contacted the freedom of information officer in the Department of Health and Children this morning. He is working on legislation at present and is unable to deal with any queries under the Freedom of Information Act. Perhaps the Tánaiste could look at that.

According to Judge Harding Clark, events in Our Lady of Lourdes Hospital could be replicated in other hospitals if the circle is not closed.

**An Ceann Comhairle:** That does not arise on the Order of Business.

**Mr. Kenny:** It does.

**An Ceann Comhairle:** Successive Chairs have ruled on the Order of Business — Standing Order 26.

**Mr. Kenny:** This House discussed the report into Our Lady of Lourdes Hospital some time ago. It dealt with serious charges.

**An Ceann Comhairle:** Yes, but we cannot discuss it on the Order of Business. I ask the Deputy to move on to something appropriate to the Order of Business.

**Mr. Kenny:** Judge Harding Clark, who wrote the report, said the Health Service Executive is not doing its job.

**An Ceann Comhairle:** The Deputy must find another way to raise this.

**Mr. Kenny:** What is happening following the discussion of that report in this House?

**An Ceann Comhairle:** There are many ways in which the Deputy can raise this issue, including a question to the Tánaiste.

**Mr. Kenny:** The Tánaiste will go to America shortly.

**Mr. F. McGrath:** She is afraid of the INO.

**Mr. Kenny:** Judge Harding Clark said — I am sure the Ceann Comhairle, given his profession, will understand this — that what happened in Our Lady of Lourdes Hospital could be replicated in many other hospitals if the circle is not closed. I would like the Tánaiste to respond.

**An Ceann Comhairle:** I ask the Deputy to be orderly. The Tánaiste would be out of order, the same as the Deputy, if she started a debate here. As the Chair and my predecessors have often pointed out, if Members want to change the manner in which the Order of Business proceeds, bring in a new Standing Order and the Chair will be delighted to implement it. The Deputy knows he is out of order.

**Mr. Kenny:** Under Standing Order 26, the Government consented to discuss this report in the House. The author of that report queries the actions being taken by the Health Service Executive and I want the Tánaiste to respond to this serious matter.

**An Ceann Comhairle:** That does not arise on the Order of Business.

**Mr. Kenny:** If something like this happens again, it will be raised here irrespective of Standing Orders.

**An Ceann Comhairle:** The Deputy should use procedures in the House to raise this in the proper manner. He knows those procedures.

**Mr. Kenny:** I do not want to be disorderly or abuse the regulations but we discussed this in the House and I would like the Tánaiste to respond to the judge's remarks.

**An Ceann Comhairle:** We discussed it in an orderly way and there are many ways in which the Deputy can raise it and the Chair will be delighted to facilitate him.

**Mr. Kenny:** The Chair is being unduly restrictive.

**Mr. Rabbitte:** It is almost six years since the shooting of John Carty at Abbeylara. I have raised the Barr report hearings, which finished in 2004, on several occasions in this House, and I have been told, as per the latest replies from the Taoiseach, that the report would be published in March. Can the Tánaiste say why that report has not been published and if there is a difficulty with it?

I refer her to the questions I have asked about the whereabouts of the Dalton report which was commissioned on Bord na gCon, events there and an expensive press conference at Shelbourne Park?

Would it not be a more productive use of the Tánaiste's time to spend an hour and a half at the INO conference—

**An Ceann Comhairle:** That does not arise on the Order of Business. The Deputy should allow the Tánaiste to answer his questions. Strictly speaking they are not in order, but the Chair will allow her to answer the questions on the two reports.

**Mr. Rabbitte:** The flexibility of the Chair never ceases to amaze me.

**An Ceann Comhairle:** Allow the Tánaiste to answer the question.

**Mr. Rabbitte:** Rather than spending time with the Fianna Fáil backbenchers, does the Tánaiste not think she would be better spending some time with the nurses at their annual conference?

**Mr. Ring:** The Fianna Fáil backbenchers need nursing.

**Mr. Rabbitte:** She can hear the complaints from the backbenchers about the health services at any time.

**An Ceann Comhairle:** I ask Deputy Rabbitte to allow the Tánaiste to answer the questions on the reports.

**The Tánaiste:** I do not know when the Barr report will go to Government but we are expecting it and the Dalton report will come before Government soon. The intention is to publish both reports and to act on their findings.

**Mr. S. Ryan:** What about the conference? The Tánaiste will not get the full facts from the Fianna Fáil backbenchers.

**The Tánaiste:** On the conference, I was looking forward last year to debating with the Labour Party spokeswoman—

**An Ceann Comhairle:** A point of order by Deputy Paul Keogh.

**The Tánaiste:** —at the SIPTU conference but she was not there. People cannot go to every conference.

**Ms McManus:** I do not know what the Tánaiste is talking about but she should withdraw that remark.

**The Tánaiste:** I am talking about the Cork conference where I expected a debate with Deputy McManus.

**Ms McManus:** I was at the Cork conference.

**The Tánaiste:** The Deputy was not there when I was there debating at it.

**An Ceann Comhairle:** The Tánaiste should answer Deputy Rabbitte's questions on—

**Ms McManus:** I have never, ever refused an invitation to debate anything with the Tánaiste.

**The Tánaiste:** I have been to seven nurses' conferences this year.

**Ms McManus:** My problem is that I cannot get a debate on health. The Tánaiste keeps running away.

**An Ceann Comhairle:** Deputy Kehoe has been called on a point of order. Being a Whip, I expect he is well aware of what the point of order is.

**Mr. Kehoe:** Deputy Kenny asked a question this morning and the Chair did not allow it to go forward. Is the Ceann Comhairle being selective in the questions he is allowing to go through to the Tánaiste this morning?

**An Ceann Comhairle:** Yes, I am being very selective. I am abiding strictly by Standing Order 26.

**Mr. Kehoe:** It is a sad day in this House when the leader of the main Opposition party is unable to ask the Tánaiste a question.

**An Ceann Comhairle:** That is not a point of order and the Deputy is the Whip and, therefore, in a better position than most to change the Standing Order. If he wants omnibus question time instead of Standing Order 26, he should introduce a new Standing Order.

**Mr. English:** The Ceann Comhairle knows we cannot do that, the Government controls Standing Orders.

**Mr. Sargent:** It is more than sad, it is shocking to hear Judge Harding Clark's remarks and I would like to ask the Tánaiste and Minister for

Health and Children if she will take action by way of legislation.

**An Ceann Comhairle:** That does not arise on the Order of Business.

**Mr. Sargent:** The legislation to which I am refer is—

**An Ceann Comhairle:** Before the Deputy comes to the legislation, the Chair would like to make a point. The Tánaiste happens to be Minister for Health and Children and is here this morning but she is here on behalf of the head of Government. She is not here as Minister for Health and Children and it is not Question Time for the Minister for Health and Children. If the Deputy has a question on legislation I will hear it but this is not omnibus question time.

**Mr. Sargent:** She cannot make bits of herself.

**An Ceann Comhairle:** Does the Deputy have a question on legislation?

**Mr. Sargent:** I have. Will the Tánaiste give some response because public confidence is very low when it comes to the Health Service Executive following the remarks of Judge Harding Clark?

**An Ceann Comhairle:** I call Deputy Durkan.

**Mr. Sargent:** On promised legislation—

**An Ceann Comhairle:** I will call the Deputy again.

**Mr. Sargent:** I do not need to waste your time. The nurses and midwives—

**An Ceann Comhairle:** I ask the Deputy to resume his seat and I will call him again on legislation.

**Mr. Sargent:** The nurses and midwives Bill was what I had begun to—

**An Ceann Comhairle:** I will call the Deputy again. I have called Deputy Durkan.

**Mr. Sargent:** The Chair interrupted me when I was asking the question.

**An Ceann Comhairle:** The Chair never interrupts, the Chair intervenes when a Deputy is out of order. I call Deputy Durkan.

**Mr. Sargent:** I asked about promised legislation which was perfectly in order.

**An Ceann Comhairle:** I will call the Deputy again. I ask him to resume his seat.

**Mr. Sargent:** The nurses and midwives Bill—



**An Ceann Comhairle:** I will call the Deputy again on promised legislation.

**Mr. Sargent:** The time of the House is precious enough without me having to come in to make another——

**An Ceann Comhairle:** Sorry, Deputy, I have called Deputy Durkan. I am not going to listen to argument. If you want to argue you will have to do it elsewhere.

**Mr. Sargent:** It is a straightforward question on promised legislation.

**An Ceann Comhairle:** I will call the Deputy and I will hear it but Deputy Durkan has been called.

**Mr. Sargent:** The Chair has heard it and he is not allowing a reply.

**An Ceann Comhairle:** I call Deputy Durkan first and then we will come to the Deputy.

**Mr. Durkan:** Since the single electricity market Bill is scheduled for towards the end of this session, will the Tánaiste say if it is intended to clarify the Government's future intentions for the ESB? It appears that some muffled sounds are emerging from the Progressive Democrats, in particular, in regard to the possible selling off of the ESB.

**An Ceann Comhairle:** Is legislation promised?

**Mr. Durkan:** It would be important to have that information before discussing the single electricity market Bill.

In regard to the broadcasting authority Bill, which has been around for some time, can we have some clarification before the general election as opposed to after it? That information would be beneficial to all parties participating.

It has become common practice — this is not a personal criticism of the Tánaiste — to answer parliamentary questions by way of referral to the Health Service Executive.

**An Ceann Comhairle:** Sorry, Deputy, that does not arise on the Order of Business.

**Mr. Durkan:** This is fundamental to parliamentary democracy.

**An Ceann Comhairle:** It is also fundamental to parliamentary procedure and democracy that Standing Orders are obeyed in this House.

**Mr. Allen:** They are not being obeyed.

**An Ceann Comhairle:** They are laid down by Members. If Members do not like them, they can change them.

**Mr. Durkan:** May I finish?

**An Ceann Comhairle:** If it is on promised legislation.

**Mr. Durkan:** May I finish what I was about to say? It has never been known in the history of this Parliament that parliamentary questions——

**An Ceann Comhairle:** Sorry, the Deputy will have to raise that matter in another way.

**Mr. Durkan:** ——are referred to some outside body and that we never get a reply on the record on the House.

**An Ceann Comhairle:** Sorry, Deputy——

**Mr. Durkan:** Therefore, the Tánaiste has a particular responsibility and she should honour her responsibilities.

**The Tánaiste:** The Minister for Communications, Marine and Natural Resources will publish an energy policy in the summer of this year. Also a broadcasting authority Bill and an energy Bill will be published towards the end of the year.

**Mr. Durkan:** Is the Government going to sell the ESB?

**The Tánaiste:** The Minister will make his policy known on that matter during the summer.

**Mr. Costello:** Three weeks ago, when the Tánaiste answered questions on the Order of Business, was the deadline for the report on the new children's hospital. On that occasion she indicated legislation would probably be needed. What is the reason for the delay in publishing the report and when is the legislation likely to appear?

**An Ceann Comhairle:** Is legislation promised?

**Mr. S. Ryan:** Is there a new agenda?

**The Tánaiste:** The reason the report was delayed was that an offer had been made by people to build a hospital and they had to be met and the matter considered. Also the group was anxious to speak with the maternity hospital because of the issue in regard to neonatal babies and the proximity of a children's hospital to maternity facilities. The report is due by the end of the month. If a State hospital is being established, legislation will be needed. I envisage we will have legislation but I do not know when it will be published.

**Caoimhghín Ó Caoláin:** As this is Alzheimer's tea day will the Tánaiste join me in paying tribute to those who provide 24-hour care for people with that condition in the home, those who are providing that care and support in nursing homes

[Caoimhghín Ó Caoláin.]

and other facilities? In that regard it has long been recognised that a proper system of registration and inspection for services for older people is long overdue. Can the Tánaiste tell us when the health Bill, establishing the Health Information and Quality Authority and the Irish social services inspectorate, will come before the House? May I add one last point? I note from the legislative programme in relation to the Tánaiste's Department that the register of persons who are considered unsafe to work with children has been transferred to the Department of Health and Children. Can the Tánaiste confirm that she will respond to parliamentary questions on this subject from Deputies rather than—

**An Ceann Comhairle:** That matter does not arise on this question.

**Caoimhghín Ó Caoláin:** —unlike, in the past, where she passed them out to a variety of Ministers and Departments?

**An Ceann Comhairle:** I call the Tánaiste to respond on the legislation.

**The Tánaiste:** There is one item of legislation, the health Bill, which will provide for the social services inspectorate. The heads of that Bill have been published for consultation purposes. We will have that Bill later this year. Responsibility for those matters has been transferred to the Department of Health and Children and the Minister of State at the Department of Health and Children, Deputy Brian Lenihan, will deal with them.

**Mr. Crawford:** In light of the fact that Commissioner Peter Mandelson has made an enhanced offer on farm trade which will affect this country and given that there appears to be no rebuff from the Minister for Agriculture and Food, when can we have a debate on the issue in the House?

**An Ceann Comhairle:** Debates, unless they are promised in the House, are a matter for the Whips.

**Mr. Crawford:** There is no promised legislation on either agriculture or employment. May I have some idea as to when the Pat Joe Walsh report and his removal from Our Lady of Lourdes Hospital—

**An Ceann Comhairle:** That does not arise on the Order of Business. I call Deputy Broughan.

**Mr. Crawford:** The report was promised in the House.

**An Ceann Comhairle:** I suggest the Deputy table a question on that matter.

**Mr. Crawford:** The promise was that we would have it in eight weeks. I think the Tánaiste would like to answer.

**An Ceann Comhairle:** I am sure the Tánaiste might answer but the Chair must implement the Standing Order.

**Mr. Crawford:** What about the Minister for Agriculture and Food? Was a debate promised?

**An Ceann Comhairle:** That is a matter for the Whips unless a debate is promised. Is a debate promised?

**The Tánaiste:** No.

**An Ceann Comhairle:** It is matter for the Whips.

**Mr. Crawford:** There is no interest in the affairs of agriculture.

**Mr. Broughan:** Before the Tánaiste assumed responsibility for the Department of Health and Children she was responsible in the Department of Enterprise, Trade and Employment for the safe pass legislation and for safety on building sites legislation. We read in today's newspapers that a safe pass is available for €50 in Dublin and a cartel appears to be operating in the system.

**An Ceann Comhairle:** Has the Deputy a question on legislation?

**Mr. Broughan:** This Minister was responsible for legislation establishing the safe pass system for safety on construction and building sites. There were 23 deaths in the industry last year.

**An Ceann Comhairle:** What legislation is promised, Deputy?

**Mr. Broughan:** The employment agency Bill.

**An Ceann Comhairle:** Is that promised legislation?

**Mr. Broughan:** Will the Tánaiste ask her colleague the Minister for Enterprise, Trade and Employment, Deputy Martin, to investigate the operation of safe pass, which she established so badly?

**An Ceann Comhairle:** That matter does not arise.

**Ms McManus:** The Tánaiste and Minister for Health and Children deliberately closed down any accountability in regard to written questions about the health service. That has created major problems.

**An Ceann Comhairle:** Has the Deputy a question on legislation?

**Ms McManus:** I have. I have questions on two pieces of legislation——

**An Ceann Comhairle:** Will the Deputy come to the legislation without a preamble?

**Ms McManus:** ——and I would like the opportunity to ask them. We have a real problem now. We cannot get answers to fundamental questions we are raising.

**An Ceann Comhairle:** Sorry, Deputy, what legislation are we talking about?

**Ms McManus:** I ask the Tánaiste to undo the damage she has done by fast-tracking the establishment of HIQA on a statutory basis, which is part of the health Bill, for which she has said we have to wait until the end of the year. Somebody has to ensure accountability and HIQA is the body to do it——

**An Ceann Comhairle:** Has the Deputy got a second question? We cannot debate the legislation now.

**Ms McManus:** ——because the Minister is doing the opposite to ensure transparency. My second question relates to a decision made at Cabinet level in regard to pharmacy and one of the pharmacy Bills.

**An Ceann Comhairle:** The Deputy raised a question on the Bill yesterday and it was answered.

**Ms McManus:** I did not get the answer. May I ask the Tánaiste, since she will have the answer, if there will still be two Bills? Will the heads of the Bill be published or will there be some limited consultation where certain people will be bought in and the parliamentarians who represent the people will be excluded from the process?

**An Ceann Comhairle:** Allow the Tánaiste to answer the question.

**The Tánaiste:** In respect of the latter question, the Deputy was in attendance yesterday at a conference where I said the heads of the Bill were being published and will be available to everybody and not just to a small group. The first Bill deals mainly with fitness to practise issues and strengthens the role of the Pharmaceutical Society of Ireland and provides for a majority of lay participation in accordance with all the regulatory bodies being reformed in the health area. The second Bill, which will come later, will deal with more technical issues. The Health Information and Quality Authority has been established and is recruiting a chief executive officer. I am not certain, therefore, of the purpose of the question on the legislation. The heads of the Bill have been published for consultation.

**Ms McManus:** As the Tánaiste knows well, it has not been established on a statutory basis. Why is she not upfront about these matters.

**The Tánaiste:** It has been established by statutory instrument. It is recruiting a CEO and has staff, but will not have its powers until we pass the legislation.

**An Ceann Comhairle:** We cannot have a debate on the matter.

**Mr. Sargent:** I asked about the nurses and midwives Bill in the hope that the Tánaiste would take the opportunity to give some idea as to what she would have said to the Irish Nurses Organisation if she attended ——

**An Ceann Comhairle:** That matter was dealt with yesterday when raised by Deputy Ó Caoláin.

**Mr. Sargent:** The Tánaiste may need to make a statement. Will the legislation be brought forward any sooner?

**The Tánaiste:** The Medical Council legislation will have a significant bearing on some of the issues in the Lourdes report. The heads of that Bill will be published before the summer and we will have the final Bill in the autumn. The heads of the nurses and midwives Bill will be introduced later this year with the full Bill following early next year.

**Mr. Kehoe:** The schedule states the employment agency Bill is expected in 2007. Is there any chance that can be brought forward?

**The Tánaiste:** I do not know whether it can be brought forward, but it is planned for next year.

**Mr. Stagg:** The Committee on Procedure and Privileges referred the issue of answering of questions in the Dáil by Ministers to the Dáil reform committee. The response from the Government Whip, who is chairman of that committee, was that he was not sure anything would be done by his senior colleagues with regard to getting Dáil replies. Has the Government any intention of dealing with the issue of the primacy of Parliament over quangos that have been set up, and of the power of Parliament being transferred to the——

**An Ceann Comhairle:** This is not the way to raise this matter. Is legislation promised?

**Mr. Stagg:** I am asking about legislation. Is there any possibility the Government will stop transferring power from this Parliament to quangos that have no notion of answering our questions?

**An Ceann Comhairle:** Is legislation promised?



**The Tánaiste:** No.

**An Ceann Comhairle:** No legislation has been promised. I suggest the Deputy should find another way of raising the matter.

**Mr. Stagg:** There is a promise from the Government on this matter. It promised it would examine the issue. Legislation would be required on the matter. The Tánaiste established the quangos under legislation, therefore legislation is required. When can we expect to see that legislation?

**The Tánaiste:** I do not know what legislation the Deputy is talking about.

**Mr. Stagg:** The Government, therefore, has no notion of doing anything about the issue.

**Mr. Connaughton:** I ask the Ceann Comhairle's guidance on a matter in the same vein. Does the Chair think it is good for democracy that a Dáil question tabled on 25 April concerning a seriously ill patient was only answered yesterday?

**An Ceann Comhairle:** That matter does not arise on the Order of Business.

**Mr. Connaughton:** Would the Ceann Comhairle regard it as good parliamentary practice that the question was only answered yesterday?

**Mr. J. O'Keefe:** It is a disgrace. Questions should be answered within five days.

**An Ceann Comhairle:** The issue has been raised and debated at the Committee on Procedure and Privileges. We cannot have a discussion on the matter here as it does not arise on the Order of Business. I am delighted to hear the Deputy speak about proper parliamentary procedure which begins here with people obeying Standing Orders.

**Mr. Connaughton:** Where does the Chair fit into this? Has he anything to do with it? It seems it is a Government decision not to answer a Dáil question. It is contempt.

**An Ceann Comhairle:** The matter does not arise on the Order of Business.

**Mr. Ring:** I wish to raise three matters of legislation, all of which are in order. First, when will the building societies (amendment) Bill come before the Dáil? Second, why is there such slow progress being made on legislation on an ombudsman for the legal profession? Third, what proposals has the Government to bring forward legislation to deal with when banks and other financial institutions losing people's deeds? We are not all so lucky as to have the Taoiseach go to Amsterdam and fight to get such matters sorted for us. Is there legislation promised by the Dáil to help other—

**Mr. O'Donoghue:** There is nothing he can do—

**Mr. Ring:** That talking is the man who is in the air more times than Aer Lingus. Is there any legislation promised that will ensure people get their deeds? The Government, the Taoiseach in particular, is fond of banks, but there are people whose deeds have been lost by them. Does the Government intend bringing in legislation to deal with that problem?

**The Tánaiste:** The building societies amendment Bill was cleared by Government recently and will be published this session. Legislation on an ombudsman for legal services will issue later this year, but there is no planned legislation on the last matter.

**Mr. Eamon Ryan:** Given the recent publication of the Forfás report which showed how exposed we are owing to our oil and fossil fuel dependency and given a request was made at the Whips' meeting last week—

**An Ceann Comhairle:** Has the Deputy a question on legislation?

**Mr. Eamon Ryan:** —for a debate on the issue, does the Government have plans to allow for a debate on the Forfás report on energy policy?

**An Ceann Comhairle:** Is a debate promised?

**The Tánaiste:** Yes.

**Mr. Eamon Ryan:** When can we expect that debate?

**The Tánaiste:** I will have to discuss that and come back to the Deputy on it.

### **Competition (Trade Union Membership) Bill 2006: First Stage.**

**Mr. M. Higgins:** I move:

That leave be granted to introduce a Bill entitled an Act to delimit the application of the Competition Act 2002 to trade unions and trade union members, and to provide for related matters.

**An Ceann Comhairle:** Is the Bill opposed?

**Minister of State at the Department of the Taoiseach (Mr. Kitt):** No.

Question put and agreed to.

**An Ceann Comhairle:** Since this is a Private Members' Bill, Second Stage must, under Standing Orders, be taken in Private Members' time.

**Mr. M. Higgins:** I move: "That the Bill be taken in Private Members' time."

Question put and agreed to.

**Freedom of Information Act: Motion.**

**Minister of State at the Department of the Taoiseach (Mr. Kitt):** I move:

That the proposal that Dáil Éireann approve the following regulations in draft:

Freedom of Information Act 1997  
(Prescribed Bodies) Regulations 2006,

copies of which have been laid in draft form before Dáil Éireann on 28 April 2006, be referred to the Joint Committee on Finance and the Public Service in accordance with paragraph (2) of the Orders of Reference of that committee which, not later than 24 May 2006, shall send a message to the Dáil in the manner prescribed in Standing Order 85, and Standing Order 84(2) shall accordingly apply.

Question put and agreed to.

**Arrangements to Facilitate Europe Day:  
Motion.**

**Minister of State at the Department of the Taoiseach (Mr. Treacy):** I move:

That, notwithstanding anything in Standing Orders, and unless the Dáil shall otherwise order, to mark Europe Day in a signal manner, the following arrangements shall apply in relation to the sitting of the Dáil on Wednesday, 10 May 2006:

(1) There shall be no Order of Business within the meaning of Standing Order 26;

(2) Oral questions within the meaning of Standing Order 35 shall not be taken, other than questions raised during the questions and answers sessions during the proceedings on that day;

(3) Matters may not be raised under the provisions of Standing Order 31;

(4) Subject to the discretion of the Chair, a member may intervene during the course of the contribution of another member to query or comment on points made by that member, other than during the course of the Second Stage debate on the European Communities (Amendment) Bill 2006;

(5) The sitting shall be suspended from 12.10 p.m. to 2.30 p.m., and a meeting of the Joint Committee on Agriculture and Food shall then be convened in the Dáil Chamber and EU Commissioner for Agriculture and Rural Development, Ms. Mariann Fischer Boel, shall be invited to attend and take part in the discussion on European agriculture policy at that meeting; provided that, in the

unlikely event Commissioner Fischer Boel is unable to attend the joint committee meeting, the Chairperson of the joint committee may adjourn the meeting; provided further that the Ceann Comhairle may act as Chairperson for the purposes of that meeting;

(6) The following business shall be transacted in the following order on that day:

(i) Leaders' Questions, to conclude after 21 minutes pursuant to Standing Order 26A;

(ii) Introduction to Europe Day by the Chairperson of the Joint Committee on European Affairs — the statement of the Chairperson of the Joint Committee on European Affairs shall not exceed ten minutes;

(iii) Statements on the report of the Joint Committee on European Affairs on migration — the proceedings shall, if not previously concluded, be brought to a conclusion at 12.10 p.m.; the statements shall be confined to the Vice Chairperson of the Joint Committee on European Affairs, Deputy Barry Andrews, and to a Minister or Minister of State and the main spokespersons for the Fine Gael Party, the Labour Party and the Technical group, who shall be called upon in that order and who may share their time, and which shall not exceed six minutes in each case; immediately following the statements, a Minister or Minister of State shall take questions for a period not exceeding 25 minutes; and in conclusion a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed five minutes;

(iv) The sitting shall be suspended from 12.10 p.m. until 2.30 p.m. to facilitate the convening of a meeting of the Joint Committee on Agriculture and Food in the Dáil Chamber to discuss European agriculture policy at which Commissioner Fischer Boel may attend and take part in the proceedings. It shall be an instruction to the joint committee that the proceedings on the debate on European agriculture policy shall, if not previously concluded, be brought to a conclusion at 1.40 p.m.; the statements shall be confined to Commissioner Fischer Boel and the Minister for Agriculture and Food and shall not exceed 15 minutes in each case and shall be followed immediately thereafter by a questions and answers session which shall be not less than 60 minutes, at which the Commissioner may participate. Provided that subject to the discretion of the Chair, a member may intervene during the course of the contributions of the Commissioner

[Mr. Treacy.]

and the Minister to query or comment on points made;

(v) European Communities (Amendment) Bill 2006 — Order for Second Stage and Second Stage; legislation to ratify the Treaty of Accession (Bulgaria and Romania) to adjourn at 4.30 p.m., if not previously concluded;

(vi) Statements on the third annual report of the European Union (Scrutiny) Act 2002 — the proceedings shall, if not previously concluded, be brought to a conclusion at 5.30 p.m.; the statements shall be confined to the Chairperson of the Sub-Committee on European Scrutiny, Deputy Bernard Allen, and to Deputy Mae Sexton and to the main spokespersons for the Fine Gael Party, the Labour Party and the Technical group, who shall be called upon in that order and who may share their time, which shall not exceed six minutes in each case; immediately following the statements, a Minister or Minister of State shall take questions for a period not exceeding 25 minutes; and in conclusion a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed 5 minutes;

(vii) Statements on Europe and the developing world — the proceedings thereon shall, if not previously concluded, be brought to a conclusion at 6.39 p.m.; the statements shall be confined to Minister of State, Deputy Conor Lenihan, and to the main spokespersons for the Fine Gael Party, the Labour Party and the Technical Group, who shall be called upon in that order and who may share their time, which shall not exceed six minutes in each case; immediately following the statements, a Minister or Minister of State shall take questions for a period not exceeding 40 minutes; and in conclusion a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed five minutes;

(viii) Closing statement by the Chairperson of the Joint Committee on European Affairs — the closing statement of the Chairperson of the Joint Committee on European Affairs shall not exceed five minutes;

(ix) Statement by Deputy Ruairí Quinn, rapporteur of the Joint Committee on European Affairs — the statement of Deputy Ruairí Quinn shall not exceed five minutes;

(x) Closing statement by the Minister of State at the Department of Foreign Affairs with responsibility for European affairs,

Deputy Noel Treacy — the statement of Minister of State, Deputy Noel Treacy, shall be brought to a conclusion at 7 p.m.;

(xi) Private Members' business shall be taken at 7 p.m. and shall be brought to a conclusion at 8.30 p.m. to be followed by matters raised on the Adjournment pursuant to Standing Order 21(3).

Question put and agreed to.

### Private Members' Business.

### Energy Resources: Motion (Resumed).

The following motion was moved by Deputy Cowley on Wednesday, 3 May 2006:

That Dáil Éireann, concerned that Ireland's natural wealth should fully benefit the citizens of this State, notes (in this State):

- that oil and gas (hydrocarbon) taxation is seriously flawed and outdated;
- that our hydrocarbon legislation covered by the Finance Act 1992 which allows for a 25% corporate tax is the lowest in the world;
- that no royalties or other production related levies are demanded, with 100% write-offs for the oil companies' activities that can effectively wipe out any tax take to the State;
- that we continue to issue frontier licences to the oil companies for not less than 15 years;
- that there is no onus on the oil companies to use an Irish service port for their operations or to use Irish jobs, goods or services;
- the subservient attitude of the Minister for Communications, Marine and Natural Resources and his Department-PAD (petroleum affairs division) to the multinational oil companies;
- the meaningless public consultation process (strategic environmental assessment) announced by the Department of Communications, Marine and Natural Resources under EU Directive 2001/42/ EC (11 April 2006) (SI 435 of 2004 and SI 436 of 2004) with rushed timescale (25 May 2006) required prior to the next allocation of licences for offshore oil and gas exploration, and designed to exclude the public rather than include them;

and now calls for:

- recognition of the fundamental principle that oil and gas reserves within the control of the State belong to the Irish people and must be recovered and used in a way that benefits the great majority of the population rather than powerful corporate interests;
- the immediate scrapping of the “giveaway” 1992 legislation with the re-introduction of a realistic tax take, with royalties, and an automatic “stake” of 50% in any oil or gas discovery;
- the establishment of an independent oil and gas inspectorate to monitor closely all multinational oil company operations to ensure that this State fully benefits from all oil and gas exploration activities;
- a complete freeze on the issuing of any further exploration licences pending proper consultation with the Irish people (and until all relevant environmental data are gathered and assessed);
- proper and comprehensive assessments, including meaningful consultation with and representation of communities affected by oil and gas development;
- no more frontier licences to be issued — do it a better way;
- an independent official on behalf of the people of Ireland be installed on all multinational oil rigs to monitor oil and gas operations in Irish waters; and
- the establishment of a publicly owned gas and oil exploration and recovery agency to investigate the exploration and recovery of hydrocarbon resources without being dependent on multinational oil and gas conglomerates;

Nothing in this motion contradicts the reality of global warming and the finite nature of hydrocarbon resources making it imperative that the State invests massively in alternative sources of energy which do not damage the environment and are sustainable and available in Ireland.

#### Debate resumed on amendment No. 1:

To delete all words after “Dáil Éireann” and substitute the following:

“recognises:

- that the development of Ireland’s natural resources benefits the citizen of the State;
- that the present fiscal terms for petroleum are based on the present perception of prospectivity in offshore Ireland and recognise that we compete

with other jurisdictions for exploration investment;

- that the State is in receipt of royalties in relation to its major production facility at Kinsale;
- that the completion of a comprehensive (and expensive) work programme is a requirement of frontier licences and failure to complete such a programme will result in either relinquishment or revocation of the licence;
- that in practice Irish ports are widely used by petroleum companies but an obligation for the compulsory use of Irish ports would be anti-competitive and contrary to EU law;
- the need for the State, as part of its energy policy, to increase the share of petroleum to be provided from indigenous resources in offshore Ireland; and
- the implementation by the State of its requirements under the strategic environmental assessment directive (2001/42/EC);

notes:

- that work is already under way by the Minister for Communications, Marine and Natural Resources on a review of the State’s present fiscal terms to ensure that the State receives its appropriate share;
- that the Department of Communications, Marine and Natural Resources is engaged in the monitoring of petroleum exploration and production operations to ensure that the State is fully informed and fully benefits from these activities;
- that proper and comprehensive consultation is carried out in relation to petroleum activities; and
- the continuing enhancement of policy in relation to renewable and alternative energy;

rejects:

- a freeze on the issue of any further exploration licences including frontier exploration licences which would not be in the national interest;
- the need for the establishment of any new agency or inspectorate in light of the structures currently in place and being put in place; and
- the need for any change in existing Government policy in relation to petroleum activities other than the review of fiscal terms currently under way and any changes which might be necessary



following the publication of the *Advantica* and other reports.”

—(Minister for Communications, Marine and Natural Resources).

**Mr. Durkan:** I wish to emphasise again the important points to be borne in mind about the development of the energy industry and the recognition of the dependence of the industrial, commercial and domestic sector on the availability of energy supply. The Government amendment does not deal with the important and pertinent issue of security of supply, notwithstanding the fact it has taken on board most of Fine Gael policy on the matter. We will help the Government to develop that policy in the future.

The experience to date with regard to the Corrib gas field is not a good example for the rest of the world. The matter has been dealt with in a haphazard, unprofessional and roundabout manner. If the regulations had been observed and the matter processed in the proper fashion, we would not have had the embarrassing situation of having an offshore resource which cannot be brought ashore. The Government must focus on this area in the development of the energy industry for the future.

The Government needs to give the appearance of being efficient, in control and of handling the energy industry in a businesslike fashion. Much depends on this, including industry in this country and dealings with our neighbours. No reference has yet been made to the availability of an interconnector or to how we will avail of it or how it can benefit us. This area needs discussion as it will arise in the context of another Bill. In dealing with the energy industry in general, I ask that in future the matter be dealt with in a professional manner and that we do not have a repeat of the daft situation that has arisen over the Corrib gas field. I will not go into it further other than to express the wish on behalf of Fine Gael and, I am sure, every Member of this House, that the resource is developed to the best of our ability and that it is brought wherever for the use by and benefit of the country as quickly as possible.

Very little reference has been made to the development of the alternative energy industry, with the exception of the recently rushed out Government paper on this area. We are unlike other European countries in that we have a limited number of options of which to avail. For example, we do not have, nor should we have, nuclear energy but we have a number of other alternatives that we should develop. Even in the Government's policy that it announced there are serious gaps which omit important aspects of the development of the alternative energy industry. I ask that in future, since it has not been incorporated in the context of this motion or amendment, that it be given a special status and serious effort put into research and development in that area.

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Ba mhaith liom mo chuid ama a roinnt leis an Teachta Nolan.

Cuireann sé áthas orm deis a bheith agam labhairt ar an ábhar seo. Is cuimhin liom gur labhairt mé féin agus go leor Teachtaí eile, an Teachta Cowley ina measc, ag cruinniú mór i mBéal an Mhuirid cúpla bliain ó shin ag a raibh muid ar fad ar aon tuairim go mba cheart an gás a chur ar fáil do mhuintir Mhaigh Eo. Níl aon athrú ar m'intinn ó shin, agus creidim go gcaithfidh muid próiseas ciallmhar staidéarach a leanacht agus an gás a thabhairt i dtír.

Chomh maith leis sin, tá fíorghá sa tír seo, má tá próiseas ann atá féaráilte agus cothrom, go leanfar é agus go nglacfar le cinnithe an phróisis sin. Seans go raibh mearbhall ar an bpobal faoi rud amháin. Nuair a bhí cead an Aire ag teastáil, cheap daoine gurbh é an tAire go teicniúil a bhí ag déanamh an bhreithúnais. Ní raibh sé sin fíor ar chor ar bith. Ba é grúpa comhairleoireachta teicniúil sa Roinn a rinne é. Bhí an chuma sin ar an scéal, áfach, agus tuigim gur tharla sé seo de bharr gurb é Bord Gáis amháin a thógann píblínte. Bhí cead an Aire ag teastáil, agus sílim go raibh cinneadh an-chiallmhar déanta ag an Aire go gcuirfí cead ó thaobh cúrsaí sábháilteachta go soiléir faoi chúram an CER.

Because of the confusion that arose as a result of ministerial consents for various aspects, and even though he was dependent on the advice of the technical advisory group, I felt there was room for confusion as to whether the Minister personally had an involvement in safety decisions. As a Minister I know that if one was given safety advice one could not go against it but I welcome the decision by my colleague to put this matter at arm's length under the Commission for Energy Regulation.

At the meeting in Belmullet a number of years ago I made it clear, and I have checked the transcript, that it was my view that the decisions of the likes of An Bord Pleanála were independent and should remain independent. Whereas I might postulate on the likely decision, as Minister he had no input into it. Similarly, we must accept that the Environmental Protection Agency has responsibility for emissions and that it is not subject to political pressure or influence. Both sides of any argument should accept the decision and if we do not accept it we should proceed not to accept it through the appropriate channels put in place. I am delighted the safety issues will now be put at arm's length because it will clarify an issue that those of us within the system knew there was clarity on but which I accept led to confusion outside the system. People will now know that somebody independent has made a judgment in terms of relative safety.

We must accept that life is dangerous. By definition, nothing is absolutely safe. If we were talking about absolute safety we would ban motor cars, aeroplanes and boats. To be honest, we would ban living because in most areas of life



there is a risk. What is normally assessed by people when they are doing safety audits are relative risks, not zero risks. If we were to go on the basis of a zero risk policy very few human activities would be allowed.

On the main issue, a find has been made and terms agreed. The Minister will review it in terms of future policy but it must be said that on the open market we are not exactly awash with people prospecting in our waters. The position is that 85% of our gas is imported and we produce 50% of our electricity from gas, which is to increase to 60%. Of the fossil fuels, gas is the most friendly in terms of the environment.

We know that the United Kingdom is rapidly losing its self-sufficiency in gas and that we are facing the prospect of importing gas from eastern Europe. The people will not forgive us in a few years' time if we have an insecure supply of gas from eastern Europe, and we saw what happened this year, when we had gas off our west coast that we did not take ashore. As I said, in taking it ashore we should follow proper procedures. I will accept the decision on the procedures but they should be, and will be in the future, at arm's length. I am aware that even under the current arrangement, where the Minister's name might be on it, there are clear procedures in place in terms of evaluation. I believe this gas should be brought ashore. I accept that Shell has planning permission for a terminal in Ballinaboy given by An Bord Pleanála, an independent agency.

One aspect about which I was concerned but which is now being addressed in a constructive way is that the gas would be brought ashore on the west coast but be of little direct benefit to the people of the west. As a Minister, I have to take a national view but we must talk about balanced regional development.

**Mr. Durkan:** Hear, hear.

**Éamon Ó Cuív:** This is an incredible opportunity to balance regional development. I am delighted there has been a number of developments in that regard. A pipeline is being constructed, and those of us who travel through Clargalway, Mayo Abbey and elsewhere can see it crossing the country. That is a basic piece of infrastructure but there are those who will argue that it is being put in to take the gas out. I argue, with justification, that it is a piece of infrastructure that could be used as a main backbone for distribution.

I compliment the Western Development Commission for the incredible work it did in examining the CER terms regarding evaluation of viability of gas. The CER, which does the assessment and licensing of prospective operators, must be satisfied that such an extension is economically viable before granting its consent. I am delighted the CER has approved Bord Gáis's new connection policy applicable to both the transmission and distribution networks. It now intends carry-

ing out — I realise the process is slow but this is the way problems get solved — a study to examine the potential connections that can arise on foot of this policy. Based on the advice given to me by the Western Development Commission, this change is very strategic because it will enable a large number of towns in the west, particularly in Mayo, to be connected.

**Mr. Durkan:** It is a pity it was not carried out at the beginning, as it should have been.

**Éamon Ó Cuív:** According to an old Irish saying, "is fearr deireanach ná go brách."

**Mr. Durkan:** Better late than never but I cannot be sure.

**Éamon Ó Cuív:** When examining a problem, I do not begin by examining where I would like to have been five or ten years ago, particularly if I was not in a position of responsibility at that time. I always begin by examining where I am today and try to solve a problem going forward. I have never witnessed anyone solve a problem going backwards.

**Mr. Durkan:** This project has been going backwards for a long time.

**Éamon Ó Cuív:** This project is going forward at a very steady pace. Based on ongoing work, we will be in a position where it will be considered viable by the CER, which is the test, to put gas into towns in Mayo.

The other issue is the construction of a natural gas pipeline from Mayo to Donegal via Sligo. I understand the Minister is proceeding with a study on this issue. The specifications for the proposed study include a requirement to examine the feasibility of bringing gas-fired power station generation to the region. This will inform future decisions. There has been considerable debate in the west about whether a possible gas line should go straight from north Mayo to Sligo via Ballina and the Ox Mountains; via Castlebar, Claremorris and Knock; or via Claremorris, Ballyhaunis and Ballaghaderreen. I, like all my colleagues from the west, would like the pipeline to go through all the towns, which is the objective of the exercise. I hope that by working through this process, we can maximise the benefit and the number of towns which can obtain the gas.

It is very important to recognise that a European framework is involved. There is a range of rules and regulations one must deal with and we must work within this framework and try to bring matters to a successful conclusion within it. The desired result is that as many towns as possible in the west, particularly in Mayo, Roscommon and Sligo, will get connected because of the advantages of having a gas supply. I understand that a large number of people are tendering to carry out this study, which I welcome.

[Éamon Ó Cuív.]

I am pleased with the way in which the safety issues raised have been taken on board very carefully by the Minister, who commissioned a report. We are coming to the end of a very thorough analysis in which a decision will then be made based on the best advice as to the provision of the pipe to the highest standards and ensuring the risk is minimised. The second issue involves ensuring that when the gas comes in, which will undoubtedly happen, it is made available to as many towns in the country as possible. People in future will wonder what all the fuss was about.

The changes brought about by the CER have other considerable benefits. For the first time, there is a line going from east to west. Prior to this, the line was mainly confined to the south and the south west. The major advantage of this development is that under the new regulations and regime, towns in the midlands will benefit from receiving gas. This means gas will be received by many more towns. I hope that, in time, a comprehensive national network of gas will serve our towns. Such a network would act as a spur for further development.

Tá sé tábhachtach go leanfaimid leis an bpróiseas cúramach, ciallmhar atá ar bun. Tá sé tábhachtach freisin go dtiocfaidh an próiseas sin chun críche agus go dtabharfaimid an gás seo isteach. Nuair a dhéanfar chuile shórt de mheas, beidh sé mar bhuntáiste ag Maigh Eo, ag muintir an iarthair agus ag pobal na tíre ar fad go mbeidh gás nádúrtha aiceanta ó Éirinn ar fáil ag pobal na tíre. In am atá thar a bheith éiginnte, ceann de na bagairtí is mó romhainn ná éiginnteacht ó thaobh soláthairt. Réiteoidh gás na Coirbe cuid den fhadhb sin.

**Mr. J. Higgins:** Cad chuige a rinne an Rialtas déileáil leis na comhaltáí móra idirnáisiúnta agus ní ar mhaithe le muintir na hÉireann?

**An Ceann Comhairle:** Deputy Joe Higgins should allow the Minister to continue. The Minister has 15 minutes remaining.

**Éamon Ó Cuív:** I would like, as I did before, to give the Deputy a detailed breakdown of that. Nobody has answered the following question. There is a 20-1 shot and €20 million to go. Is the Deputy suggesting we should use taxpayers' money to become directly involved in this work or does he accept that one must go into the open market? The Deputy argues that the terms are far too favourable. Normally, if one goes to the open market with terms that are far too favourable, one finds a considerable number of bidders. We certainly have not discovered this. The Minister will review the policy into the future and as circumstances change and if the terms need to be adjusted, they will be adjusted.

**Mr. J. Higgins:** If the Minister's forebears, even if they were capitalists, showed the same coward-

ice as him, we would not have an electricity service.

**An Ceann Comhairle:** I ask Deputy Joe Higgins to resume his seat. Does the Deputy wish to take his slot now and respond to the Minister?

**Mr. J. Higgins:** If the Ceann Comhairle will give me 15 minutes, I will take it. Dhíol an Rialtas gach saibhreas amach.

**Mr. Nolan:** I wish to share time with Deputies Devins and Fiona O'Malley. Listening to the debate last night, what struck me most forcefully is that ten years ago, this country received 85% of its gas requirements from the Kinsale gas field. We are now dependent on outside supplies for 90% of our gas requirements. We need an indigenous gas supply because in the future, Ireland will be at the end of a very long supply chain bringing gas from Russia through Europe. It is worth repeating that we will be very vulnerable in such a scenario.

The Government and the Minister have bent over backwards to try and encourage international and indigenous companies, of which there are few, to explore and discover gas off our coasts. Certain speakers last night compared Norway with Ireland but this comparison is unfair. Any discoveries of oil off the coast of Norway have been in significantly shallower waters where it is much easier to extract oil and bring on shore and Norway's strike rate is far better than that achieved off the Irish coast.

The Corrib gas field is a major infrastructural project which has the potential to play a significant role in the economic and social regeneration of Ireland, particularly Mayo and the west. My county of Carlow benefited from the supply of natural gas from the Kinsale field. When gas from the field was piped to Dublin, both Carlow and Kilkenny were able to take spurs off it to provide gas to households and allow industry to convert to gas, which was more economical at the time than heavy fuel oils. It is important to repeat that the Corrib development has received all the approvals and consent required by law. If we go down the road of introducing legislation and if the EU continues to introduce regulations and standards which we ignore, we will assume the status of a banana republic with which nobody in the international commercial arena will wish to deal. It is important because the eyes of the world, particularly those of Europe and the United States, are watching what is occurring here in this regard.

There has been talk about safety standards. I am satisfied that the best international safety standards are being afforded to this project and I compliment the Minister on bringing in an independent company to assess and do a risk audit of the development.

**Dr. Cowley:** The Deputy does not need to live there.

**Mr. Nolan:** Deputies are living in a fantasy if they believe we will ever reach a stage where someone will guarantee zero risk. In no project, be it road building, railways or telecommunications, would anyone say there is zero risk involved. I know this because we experience the same problems every time we want to build wind farms. Locals object and say there will be problems or difficulties due to radiation. There will be a risk in everything we do, but all we can do is try to reduce the risk involved.

**Dr. Cowley:** This is an unacceptable risk.

**Mr. Nolan:** Last night, the Minister told the House there are 13 offshore exploration licences, including 11 frontier licences. We are striving to encourage people to look for gas and oil off our coast and develop that sector. As fossil fuels are depleted and expertise increases, we will find that companies will drill in deeper waters and be able to extract more oil and gas. I hope the significant costs involved will be met by a success rate. To date, costs of exploration in Irish deep waters relate to a 20:1 chance of striking something.

The private sector has the expertise. In recent months, comments have been made to the effect that this is an Irish resource and should be kept for the people of Ireland. We do not have the expertise that international companies have, to go into the wild Atlantic and look for gas and oil.

**Dr. Cowley:** Neither did Norway but it learned.

**Mr. Nolan:** In fairness to everyone——

**Mr. Broughan:** What did the Norwegians say to the oil companies?

**Mr. Nolan:** The Norwegians are drilling in much shallower waters of 200 m whereas we are drilling in 1.5 km deep waters.

**Mr. Broughan:** They told the companies to teach them what they know. It is a fundamental difference.

**Mr. Nolan:** Yes, but the costs involved are fundamentally different also. This project is worthwhile. It needs and deserves the support of not just the Government, but of the people. From what I hear, it also has the support of the vast majority of the people of County Mayo.

**Dr. Cowley:** If it was safe, it would have everyone's support.

**Dr. Devins:** I welcome the opportunity to speak on this topical private Members' motion. As the Minister said last night, this motion reflects the disparate grouping of independent Deputies who composed it.

**Mr. J. Breen:** The Deputy is attacking a better position.

**Dr. Cowley:** The Government is in an indefensible position.

**Dr. Devins:** It is a hodgepodge motion of many different ideologies, which unfortunately does nothing to help the exploration for oil or gas in Ireland or offshore.

**Dr. Cowley:** Giving it away does not help either.

**Dr. Devins:** The Fianna Fáil Party and its colleagues in Government, the PDs, believe that Ireland's resources should be utilised for the benefit of the people.

**Dr. Cowley:** They are being given away to the multinationals.

**Dr. Devins:** It is this thinking that has guided the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, in his dealings with oil and gas exploration companies. It is important to remember that in Ireland, we have a one in 20 success rate when we drill a well. Norway has a one in eight success rate.

A balance must be found between attracting exploration companies to Ireland and ensuring that the interests of the State are protected. This is not and cannot be a fixed relationship — it must be dynamic as circumstances dictate. If more wells are found, the State can demand more in return. We want more exploration, but until the discovery of the Corrib gas field, exploration off the Irish coast had been fairly unproductive. However, we now have the Corrib field and I welcome the Minister's statement that he will review the State's present fiscal terms to ensure it receives its appropriate share in future.

Yesterday, the Minister announced that he would accept the recommendations of Advantica, the independent group tasked to review safety in the Corrib field. He also published and accepted the findings of his own Corrib technical advisory group. Hopefully, all of these recommendations, which are stricter in safety terms than international best practice, will be agreeable to both parties in the Corrib gas field dispute and the development of this large resource off our coast can be brought ashore and utilised for the benefit of Ireland.

The importance of using this wonderful asset is made all the more pressing when we witness on a daily basis the surge in oil and gas prices on the world market. As a country, we do not have many oil or gas resources and are very dependent on the importation of these fuels for all aspects of our economy. When we discover a substantial natural resource such as the Corrib gas field, it is imperative that we utilise it as soon as possible. I say this recognising that fossil fuels have a defi-

[Dr. Devins.]

nite life span and many experts warn that we are coming to the end of their availability. Renewable sources of energy, such as wind and wave, are the way forward in conjunction with the use of agricultural crops for biofuel. I commend the Minister for recently taking important steps to encourage the development of natural forms of energy, such as grants for solar energy in houses. More of the same type of progressive and enlightened thinking is the way forward so that, eventually, we will be self-sufficient.

I will restate what all of the public representatives in the west and north west have been advocating for some time and to which the Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, briefly alluded, namely, that An Bord Gáis should immediately set about providing a gas pipe from County Galway through counties Mayo and Sligo to County Donegal.

**Mr. Broughan:** Hear, hear.

**Dr. Devins:** The people in counties Sligo and Leitrim have as much right as anyone to the benefits of gas, be it for industrial or domestic use. Connecting with the gas supply in Northern Ireland via a western connector will ensure that the people closest to the Corrib gas field will have the same benefits as those living along the east coast. It is only right and proper that businesses in such towns as Sligo, Manorhamilton, Tubbercurry, Ballymote and Ballina are able to avail of gas as an energy source if they so wish, which businesses elsewhere in this country can do. We are all citizens of the same State and Bord Gáis must recognise this fact and put in place a gas pipe supply network to the north west. I commend the Minister's amendment to the House.

**Ms F. O'Malley:** I am grateful to the Technical Group for tabling the motion because it clearly demonstrates that the election is on. Thankfully, the people are being provided with a choice.

**Mr. Broughan:** Do the PDs have any more new candidates?

**Ms F. O'Malley:** It is a choice between reverting to the protectionist policies of the 1930s, which brought this country to its knees, or exploiting and bringing the reserves we know of to more citizens to provide opportunities.

**Mr. Durkan:** If all the other elections took as long as this one, they would have taken a long time.

**Ms F. O'Malley:** The motion was concocted in a fit of enthusiasm because three leaders in Latin America, Hugo Chavez, Evo Morales and Fidel Castro, met at the weekend.

**Mr. McHugh:** And Des O'Malley.

**Ms F. O'Malley:** The Deputies decided that they wanted a bit of it. What the motion fails to recognise is that Ireland does not have the reserves of either Venezuela or Bolivia.

**Mr. Durkan:** That is a solid piece of information.

**Ms F. O'Malley:** A Government must be responsible and the Technical Group will never really need to recognise this responsibility.

**Mr. Broughan:** How does the Deputy know that?

**Ms F. O'Malley:** A Government must be responsible and operate policies for the real world.

**Mr. McHugh:** Who told the Deputy that?

**Ms F. O'Malley:** Deputies across the floor might have a fanciful notion that the State can hold the risk that comes with exploitation. Have they examined how much it costs to evaluate our reserves? A reserve is something about which one does not know. One is obliged to drill for it and it costs billions. Day after day and week after week, the Technical group Members come into the Chamber to ask the Government to spend money on X, Y or Z.

This is what I am talking about. Members should be honest about the option they provide.

**Mr. Healy:** There has been a surplus of €39 billion since the current Government came into office.

**Ms F. O'Malley:** How will this be financed?

**Mr. Healy:** A surplus of €39 billion.

**Ms F. O'Malley:** Day after day they ask that Ireland be independent in terms of energy generation and state how important that is.

**Mr. Healy:** However, it is going to the wrong people.

**An Leas-Cheann Comhairle:** Order, please.

**Ms F. O'Malley:** How will we ever find or locate any reserves that may exist?

**Mr. Healy:** Big business receives it, not the ordinary man in the street.

**Ms F. O'Malley:** The risk involved is high as Ireland's oil exploration success rate has been one in 50.

**Mr. McHugh:** The Deputy should repeat her last remark as she did not quite hit the high level she wanted.



**Ms F. O'Malley:** However, the worldwide norm is one in ten. Previously, the Opposition Deputies were shouting about Norway. The rate there is one in four and Members should face the geographic realities of our country and the cost of exploitation.

**Mr. McHugh:** The Deputy should raise her voice higher.

**An Leas-Cheann Comhairle:** Order, please.

**Ms F. O'Malley:** The Deputies on the other side are not doing their cause any good. At best, this is a request to revert to the protectionist policies of the 1930s. At worst, this is akin to a university Marxist society flyer. This motion does not operate within the real world. Last night, the Minister pointed out that if one wants to have 50%—

**Mr. Healy:** The Deputy is only interested in big corporate billionaires.

**Ms F. O'Malley:** The Technical Group members want to renegotiate the terms to have 50% return to the State. However, one must recognise the risk. Is it prudent for the State to seek this—

**Dr. Cowley:** The Government gave it all way.

**Ms F. O'Malley:** —when we have an oil exploration success rate of one in 50? As the Minister stated last night, one could as easily back a horse with the State's money. This is not a good idea.

**Mr. Broughan:** Why is the Minister talking about changing the business terms?

**Ms F. O'Malley:** The fiscal terms reflect the responsibility—

**Mr. Broughan:** It is in the motion. Did I misread the motion?

**An Leas-Cheann Comhairle:** Order, please.

**Dr. Devins:** The motion is a hot spot.

**Ms F. O'Malley:** Forgive the interruptions, because my time is limited, but I will correct the Deputy on one point. It is prudent for any Government, and perhaps the Deputy will get his chance to find out about it—

**Mr. Broughan:** Hopefully.

**Mr. Browne:** In the long term.

**Ms F. O'Malley:** —to review taxation policies on an ongoing basis. That is wise.

**Mr. Broughan:** The Deputy is changing her tune.

*(Interruptions).*

**An Leas-Cheann Comhairle:** The Deputy should conclude.

**Ms F. O'Malley:** I have been interrupted endlessly by the Opposition side.

**An Leas-Cheann Comhairle:** The Deputy should conclude.

**Mr. Broughan:** The Deputy is changing her tune.

**Ms F. O'Malley:** Not a bit of it.

*(Interruptions).*

**Mr. Broughan:** Deputy Fiona O'Malley is thinking of the Minister of State at the Department of Communications, Marine and Natural Resources.

**Ms F. O'Malley:** As for the proposals before the House, while all Members have the best interests of the country at heart, the best interests of the citizens are served by the exploration of reserves and by developing our independence in terms of energy security. The only means available to us to ascertain what reserves we have is to encourage private companies with the money and expertise to so do. The returns will come to our State.

**An Leas-Cheann Comhairle:** The Deputy should conclude.

**Ms F. O'Malley:** I will conclude on this point. The proposals in this motion are a severe deterrent to this State and will not help anyone. As the Minister said, 0% of nothing is nothing.

**Mr. McHugh:** Actually the Minister stated that 40% of nothing is nothing. The Deputy should not misquote her master.

**Ms F. O'Malley:** The Deputy is a clever man. The point is that the end result is zero.

**Mr. Broughan:** I am grateful for the opportunity to speak on this motion on behalf of the Labour Party.

I wish to clarify the point I made to Deputy Nolan. As I understand it, Norway came to believe that there were significant resources off its North Sea coast in 1968. The Norwegian Government effectively told the oil majors to teach it everything they knew about exploration, discoveries and so on for two or three years. This is what happened as Statoil was established. When the Norwegian Government felt it knew enough to start making fiscal policy in respect of its discoveries, it began to issue licences for the massive resources that it turned out to have.



**Ms F. O'Malley:** They were lucky to have such resources.

**Mr. Broughan:** My point is they did not know that at the time, any more than we do at present. By the way, the Minister of State at the Department of Communications, Marine and Natural Resources, Deputy Browne, believes that Ireland has significant resources in our 1 million sq. km of sea.

As for the publication of the Advantica report yesterday, while this is welcome, significant problems remain regarding the Corrib gas pipeline itself. Yesterday I asked that either the Minister of State or the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, should come before the House in the next few weeks. Members should be given an opportunity to discuss the Advantica report, the technical advisory group's report, as well as the other documentation published yesterday by the Minister. Moreover, Members might have a full discussion of the present level of mediation in respect of the Corrib dispute to try to establish a picture of its current status. As far as I can ascertain, there is no green light and the media have misinterpreted what took place yesterday. Significant and intense negotiations must take place in respect of the finalisation of the Corrib dispute.

The Corrib gas reserve is a vital national resource which provides a very important window of opportunity for this country to diversify from oil and to move towards alternative technologies. Hence, it is a critical national priority to get the Corrib resource ashore. However, this must be done in a manner which is agreeable to the local community. If that is not the case, while the Minister may issue as many green lights as he pleases, nothing will happen. Hence, I urge the Minister to inform the Government that all Members, including my colleague from County Mayo, Deputy Cowley, would welcome the opportunity to discuss this issue in depth in the House in the coming weeks.

As for the motion, under the Constitution, all natural resources within our jurisdiction and all associated franchises and royalties, belong entirely to the people and to the State. That is the factual and legal situation. One of the most annoying features of the current debate is that all our current discussions in respect of the Corrib field and the potential resources of this country are still governed by an Act that was passed in 1960, namely, the Petroleum and other Minerals Development Act. In the 1960s, when the first licensing was granted to the Marathon oil company — it received an exploration licence for the paltry sum of £500 — the Act still made it clear that all the reserves of natural resources remained vested in the Minister and the State.

The Leas-Cheann Comhairle is aware that the first comprehensive regime of licensing and royalties was established in 1975 by our great Labour predecessor, the former Minister for Industry and

Commerce, Mr. Justin Keating. The Leas-Cheann Comhairle served with him in that Government. It is interesting to reflect on Mr. Keating's terms. They included an automatic 50% State shareholding in any oil or gas discovery, a royalties regime of 6% or 7% and an oil and gas tax of 50%. This system was placed in statutory and legal form in the mid-1970s and served, until 1992, as the basis of our licensing regime.

The shadow of the former Minister for Industry and Commerce, Mr. Ray Burke, still hangs over the Dáil because these terms were first significantly amended by him. However, it must be stated in the context of the motion before the House that his royalty regime was still based on a 35% take for the State. The former Minister, Mr. Burke, spoke of the necessity for amending the changes made by Mr. Keating's regime. He stated, using the argument still made by the Minister for Communications, Marine and Natural Resources still uses:

[W]hen we are a recognised oil province, we will be able to afford the luxury of more stringent terms, but for now it is clear that concessions of a radical nature are necessary to offset, to the greatest possible extent, the effects of low oil prices on exploration in Ireland and the recent disappointing results.

The real changes and evolution of our current licensing regime came about during the 1992 Fianna Fáil-Progressive Democrats Government, in which the present Taoiseach, Deputy Bertie Ahern, served as Minister for Finance. The 1975 terms were significantly amended to produce the current regime, which effectively offers *carte blanche*. The present regime gives significant power to the Minister to license companies, as he has done in the north-western seas over recent months, and includes the key features which this motion deplores. These include the absence of royalties or production-based levies, the fact that any oil exploration activities are only subject to the 25% corporation tax, and that there are 100% write-offs for oil companies' expenses. There is loss relief and 100% deductions for abandonment costs to encourage exploration. These terms have regulated our oil exploration ventures.

I commend the Independent group for tabling the motion. It is timely, particularly in light of the situation in the Corrib, which has been a wake-up call for people in regard to our natural resources. Those who support the current system argue that the potential level of natural resources in Irish waters is not sufficiently substantial to warrant a system on a par with Norway or to significantly change the current terms. Since the beginning of last year's dispute over the Corrib gas pipeline, the Minister, Deputy Noel Dempsey, has consistently disparaged the notion that Irish waters are an attractive place for oil or natural gas exploration ventures. He claimed recently that very few companies are interested in exploration off Irish shores, and because of this, the antiquated and

inadequate framework for regulating the exploitation of Irish natural resources must remain unchanged. As I said to Deputy O'Malley a few minutes ago, if one examines the amendment to the motion, he appears to be changing his tune because we are going to have new fiscal terms. The Minister signalled in *The Sunday Tribune* last November that he was prepared to examine the regime for regulating the exploitation of Irish natural resources. The current regime is often cited as a reason for the lack of applicants for the 2005 offshore licensing round when only two companies applied.

There are many other factors to be considered, the first of which is the massive market price of oil and gas, which may be heading for a \$100 a barrel for oil. It recently reached almost \$75 a barrel. At these prices, areas which were previously considered to be inhospitable or difficult to explore are becoming areas that all oil companies are beginning to consider. There is also the development in technology. There have been huge developments, particularly in offshore technology, for example, along the South African coast and Angola and up towards the middle of Africa. There are new ways of exploiting resources, which we are experiencing in the Corrib field which is effectively 60 miles off the coast. There is also significant interest in Irish exploration in recent months, which is a good effect of the Corrib crisis. A few weeks ago, when I showed the map of the north western licensing round to the Minister, he did not deny that there is a lot of very valuable territory which still has to be allocated. An Irish company, Grianan Energy Limited, must be commended because it is beginning to finally recognise a central tenet of the people of Rosport's claim that any development should enhance the locality and this nation by offering it 10% of profits. Most of us in this House believe there should be a much more far-reaching system of ensuring that local areas, like Mayo, get real and long-lasting benefits from exploration. In October it was reported that Island Oil and Gas and Petrolia are to drill three wells off the Irish coast. This began a few weeks ago. We also heard that Providence Resources and a private Scottish-based company, Sosina Exploration, are getting an exclusive licence to explore and exploit the so-called Dunquin area off the south-west coast. There have been extraordinary claims that Ireland's oil and gas needs for perhaps a century or more could be met by just that one field. Providence Resources estimates it could contain more than 25 trillion cubic feet of gas and 4 million barrels of oil. We use approximately 200,000 barrels a year.

All of these projects indicate there is real and deepening interest in exploration off our coast. The distinguished journalist, Mr. Colm Rapple, wrote some interesting articles in recent months when he argued strongly that perhaps the Minister, Deputy Noel Dempsey, and the Minister of State, Deputy Browne, should talk directly to oil

companies face-to-face in regard to exploration ventures. Some Deputies assume a country would have to invest money up-front to obtain benefits from exploration. However, if we examine other European countries which have a history of exploration, as well as Canada, including Newfoundland and so on, this is not the case. Generally speaking, the state gets involved in joint ventures on the basis of no foal, no fee, and states and communities are not liable for vast exploration costs.

Deputies referred to what other countries do in this regard. The experience of Norway is relevant. Deputy Cowley, members of the Labour Party and I found it extremely helpful when we liaised with Statoil when the five Rosport men were in prison. Some 70% of Statoil is owned by the Norwegian state. The Norwegians' basic *modus operandi* was that they learnt what exploration was about, and when they knew what it was about, they issued licences, drew up fiscal terms and began to explore. Like our National Pensions Reserve Fund, Norway set up a massive trust fund for the Norwegian nation for generations of people who will obtain great benefit from the massive resources off the Norwegian coast. Norway's corporation tax stands at 28%. It also has a special tax of 50% on income derived from exploration activities. There are some write-offs, but there is still a significant take for the Norwegian state, even in the current situation where Statoil is 30% owned by the private sector.

The Norwegians have a CO<sub>2</sub> tax to protect the country's environment. It also has an area fee. It is an interesting device, which is based on the amount of acreage provided, which the Minister is currently doing. It is intended to encourage return of acreage that companies do not wish to exploit. We could examine what our Norwegian colleagues are doing to make a profit from exploration ventures.

Denmark, which has been self-sufficient since 1997, has a significantly different regime. I commend my Independent colleagues on the motion. The Minister, Deputy Noel Dempsey, lashed out at them last night, which was unfair. One of the proposals in the motion relates to a State company. In fact, it is an exploration agency, which is a commendable idea. Denmark has such an exploration agency, DONG, an exploration and production company. It is a limited oil exploration company whose shares are owned by the Danish state. DONG has been a partner in all consortia awarded licences for exploration in Danish waters since 1984. It is also active in Greenland, the Faroe Islands and Norway. The Danish state also takes a very pro-active interest in the resources off its coast. It has a 28% tax, which is a little higher than ours, as well as a hydrocarbon tax and an oil pipeline tariff.

We could examine smaller communities, in particular the Faroes. The Faroe Islands became involved in the exploration area fairly recently. It awarded seven licences to 12 oil companies in

[Mr. Broughan.]

2000. The regime has three different components, including a royalties regime, a hydrocarbon tax and a special tax. Royalties are levied at a rate of 2% and the hydrocarbon tax is levied at 27%. For example, if a field has a rate of return higher than 20%, the special tax will be set at 10%. If it has an internal rate of return greater than 25% or 30%, the special tax will be levied at 15%.

In the 1970s, when the Labour-Fine Gael Government was in power, Deputy Fiona O'Malley's father savagely attacked our great Minister, Justin Keating, on the exploration regime. He was talking nonsense then and she is still talking nonsense 30 years on. Other countries make better use of their natural resources, as we should be doing.

In terms of local benefits and benefits for the State, we should consider exploration areas such as Newfoundland and Labrador in Canada where there has been an extensive agree-  
12 o'clock ment with companies to deliver real benefit to local communities. The agreement includes pre-production expenditure, person-years of construction employment and person-years of operation employment. These are detailed terms set out by the provincial government of Newfoundland in regard to the exploration of its waters. Yet the Minister, Deputy Noel Dempsey, spoke a lot of rubbish in the House last night for which he was commended by some in the media. Every day, some €14,000 or €15,000 is being totted up as a result of those famous voting machines which will never be used.

The platform used in Newfoundland attempted to maximise local employment. The Faroese and Canadian examples show us there are different ways of exploration, and there is logic in the general spirit of the motion put before us by the Technical Group.

On a number of occasions during the Corrib gas crisis, I appeared on Midwest Radio. One of the interesting examples of communities we considered, which got real value from their exploration was the Shetland Islands. The local authority there was given scope to negotiate for a share in revenues generated by North Sea oil production and invested locally in the fishing industry, economic diversification and approved social amenities for senior citizens. This is a small, isolated community which has done very well from direct negotiation on behalf of the British Government and the Scottish Executive which gave the community permission to deal directly with the oil majors and get the best possible deal for the Shetlands. How different it is for Mayo. We have not seen the same kind of autonomy given to the people of Mayo and the surrounding counties in the west to maximise the significant benefits for the national and local economy of petroleum production activities.

Various states have different regimes to suit their specific circumstances but in common, they have a proactive, serious, hands-on approach to

exploration, unlike Ireland, leaving it to whoever, an offhand approach which has served us so badly and has resulted in five men going to jail over a simple exploration project.

For the past few months, the Petroleum and other Minerals Development Bill has been on the clár, and when I get a chance to introduce it, I hope our colleagues in Opposition can support it. Its main focus is to ensure greater accountability to Dáil Éireann in the regulation of the exploitation and production of Irish natural resources. It also provides for stronger measures to ensure health, safety and environmental concerns are addressed and emphasises the critical importance of establishing and outlining the proposed national and local benefits of any licensing regime.

The great value of the debate we had last night and are having today is that for the first time for ages — we last discussed the Corrib gas find for perhaps half an hour — we have had an opportunity over three hours to discuss in depth the issues surrounding licensing, exploration and getting the best possible value for the people. I urge the Minister for Communications, Marine and Natural Resources to adopt the Labour Party Bill. The Bill would ensure that every time the Minister came forward with a round of licensing proposals he would have to bring them to the House and we would have to debate the matter and decide what to do about it. In the past, during the era of Ray Burke and the then Minister for Finance, Deputy Bertie Ahern, now the Taoiseach, very significant powers were granted to wholly draw up the regulatory and fiscal framework for exploration and production. The Labour Party Bill would require the Minister to present a draft scheme on the licensing terms which would have to be approved by both Houses of the Oireachtas, and return to the Dáil at least every six years afterwards regarding any licence given. There would be a statutory basis for reviewing and debating the terms of regulation, ensuring that any licensing regime is suitable for the context within which it operates.

The Labour Party Bill would also establish that the Minister would have to bring before the House a report on any draft scheme setting out his or her views on the proposed regulations and outlining the general advantages likely to accrue to the State from such a licensing scheme. As far as we can see, very little economic benefit currently accrues to the State as a result of the present terms for exploiting reserves of natural gas. Profits generated in the industry are enormous by comparison with other states.

A key element of the Labour Party Bill would be that any proposed development would have to adequately incorporate local considerations, in particular health and safety issues. I commend the Technical Group for bringing the motion before us and support its general spirit. This has been a very useful debate.



**Mr. McHugh:** I wish to share time with Deputies Joe Higgins, Connolly and Ó Caoláin.

The guiding principle with regard to Ireland's natural wealth should be that whatever benefits accrue should be for the citizens of the State. This principle is currently not being applied because it is clear the main beneficiaries are multinational oil companies. I recognise it is not all one-way traffic and that multinational oil companies are not all lining up, jostling for position, to be granted licences. However, there is a view abroad that the Irish people are not benefitting to the extent they should. That view is reinforced by the fact that the route of the Corrib gas line, while running close to many towns and settlements in the counties of Galway and Mayo, is not serving any of them but taking the gas somewhere else. It is always somewhere else, as far as rural Connacht is concerned.

I implore the Minister for Communications, Marine and Natural Resources to take immediate steps to ensure the Corrib gas line brings some benefits to the counties of Galway and Mayo. A spur to the towns along the route is required as a first step. There is no excuse for spur lines not being provided. This is a golden opportunity for the Government to give practical expression to its often stated aim of achieving balanced regional development. We are fed up with talk about saving the west. Let the Government stop talking and start working.

To illustrate the madness of not utilising the gas supply as it travels to somewhere else, one only has to imagine an ESB line travelling in excess of 100 miles through rural Ireland, passing by many towns along the way without servicing any which did not already have an electricity supply. That would be seen as madness, as being short-sighted, to be lacking in any foresight, devoid of strategic planning, the policy of a banana republic, to be undemocratic. In an exactly similar situation we have miles of pipeline running through a large part of Connacht but servicing none of it.

Some time ago, Bord Gáis announced it was revising its policy with regard to the possibility of connecting those towns subject to approval by the energy regulator. In the course of this debate, will the Minister set out his view on this issue? Will he say if he is in favour of connecting those towns and if so, what action he is taking to bring it about? What contact has the Minister had with Bord Gáis or other bodies to ensure this vital infrastructure for the development of the west is put in place without delay?

**Caoimhghín Ó Caoláin:** The Government amendment to this motion claims that the development of Ireland's natural resources benefits the citizens of the State — if only that were true. It would benefit the citizens if the natural resources were properly developed and under proper public supervision. However, as other Deputies have pointed out this afternoon

and last evening, neither of those objectives is being fulfilled. The absence of a State body, as proposed in the motion, that would actively participate in the research and development of our mineral resources, means our off-shore reserves are largely a mystery. They are certainly a mystery to the Department which has formal responsibility for them.

The Department of Communications, Marine and Natural Resources is completely dependent on the information supplied to it by multinationals. This has been made patently clear in ministerial responses to questions regarding exploratory drills and the scale of deposits in different exploration blocks. The Minister, Deputy Noel Dempsey, last night had the gall to accuse Sinn Féin of believing in a conspiracy theory. He claimed that my party is propagating the notion that “there are considerable quantities of oil and gas off our shores, the Government and companies know about them and we are intent on giving these supposedly large reserves to multinationals for nothing”. Of course, that is not what we are saying. What we are saying, and what many others also believe, is that there may indeed be such quantities but the crucial fact is that the Government does not know, either way.

The Minister does not know because the only information he has is that supplied to his Department by the private enterprise and exploration companies. We can have little faith in that information, given what we know of the record of companies like Shell, which has been caught on several occasions falsifying records including, most notably, one concerning its reserves. I understand that particular report caused considerable unease among the company's shareholders. Perhaps it is the case that they are more concerned about such matters than the Irish Government, which does not even have the status, standing or influence of a minor shareholder regarding Shell's interests in this State. Its role is more in the nature of a public relations consultant.

We know from Irish rig workers who were employed on the exploratory drills in the Corrib field that it is likely that the actual amount of gas there is larger than estimated by the consortium that controls it. Of course, the fact that there are now no Irish workers employed there means that even that sort of information flow has been closed off to us.

Unless the State has its own expertise and a dedicated body involved in this area, we are totally at the mercy of the likes of Shell. At the very best, I suggest that is naive. At worst, it amounts to a form of national derogation of duty, as a natural resource of potentially immense economic and social value is completely in the power of foreign corporations. This is an arrangement that has more in common with the way Mr. Cecil Rhodes or the East India Company operated in the British colonies than one suitable

[Caoimhghín Ó Caoláin.]

for a modern, democratic and so-called sovereign State.

My colleague, Deputy Ferris, last night referred to the release of the reports on the safety aspects of the Corrib pipeline. I reiterate his warning that, whatever spin is being placed on this by the Government and Shell, the issue is far from settled. Supporters of the current proposal, which will bring little, if any, benefit to the people of north Mayo or the people of Ireland, and at some considerable risk to the former, no doubt envisage that these reports will form the basis of a campaign to undermine opposition and to portray the Rosspport objectors as unreasonable Luddites.

However, this will not work because the majority of people in this country know when they are being sold a pup. They can also recognise decent, honourable people who are standing up for what is right. A great majority of the Irish people empathise and agree with those protestors and campaigners. They also, despite the best efforts of the Government, Shell's other friends in this House and in the media, understand the fact that the Corrib gas, along with other mineral resources, have been given away. They have been given away, in large measure, by individuals who gave many things away, but only when they were getting something in return. Such returns were not for the State, the Irish people or even, as they sometimes claimed, for their own party, but for themselves. Given all that the people know, therefore, it is highly unlikely that they will support the rail-roading of the Corrib pipeline against the wishes of the community in Rosspport.

Perhaps the most concise and accurate summation of the reports released with such heraldry yesterday was that delivered by Dr. Mark Garavan, who described them as "irrelevant". They are irrelevant because they do not address any of the real concerns of the people of north Mayo. They do not consider any of the alternatives including, crucially, the processing of the gas off shore. Nor do they get around the fact that opposition to the pipeline, if anything, has strengthened since the imprisonment of the five men from Rosspport. One of those men, Mr. Micheál Ó Seighin, said yesterday, in the context of the Shell consortium's attempts to proceed in the same manner as it did last year, that "we will be forced to resist the imposition of a dangerous regime on our people and on our place and that applies to the entire community now". I assure the Minister of State that the Rosspport community will continue to have the support of many other communities throughout the country in their just struggle and will continue to enjoy the unquestioned support of voices in this and the other House within this institution for their efforts. I support and commend the Independent Deputies on their Private Member's motion.

**Mr. Sargent:** Tá áthas orm deis a fháil tacaíocht a thabhairt don rún ó na Teachtaí Neamhspleách sa Ghrúpa Teicniúil.

I am interested to know if any of the speakers from the Government side have visited Rosspport and seen the situation which has been exacerbated by the Government's lack of consideration and proper governance. I have visited the area and the home of Ms Mary Corduff and other families, while Mr. Willie Corduff and the other four men from Rosspport were in prison. I passed, going into the home of Mrs. Corduff, an invisible line on her driveway. That line is on the maps of the Shell consortium as the route for the pipeline, which will contain metals, other impurities and radioactive gases, travelling at high pressure. The Advantica report states the pressure will not be as high as Shell initially intended but, nonetheless, there are still risks associated with the pipeline. A similar pipeline in New Mexico exploded in August 2000, killing 12 people who were camping 206 metres away. The pipeline in Rosspport is less than 70 metres from the Corduff family home. In that context, the Minister of State must understand that there is naturally going to be enormous resistance, and rightly so, to people being taken for granted and having their lives put in jeopardy in this fashion.

I also visited the site of the treatment plant in Ballinaboy. Strangely, that plant was refused planning permission in April 2003 but, following a meeting between the Taoiseach and executives of the consortium, was granted permission in October 2004.

We have a report, but a very narrow one. It is a narrow examination without consideration of the alternative routes or other options, such as offshore processing. Before we go any further on this we need another report into the behaviour of Fianna Fáil, with particular reference to Ray Burke, in its role as oil company agent. Deputy Fahey also needs to answer a few questions. There is no doubt that the people of Mayo will not let this rest. When one sees the arrangements made one must ask what is in it for the people. The answer is little other than that we pay whatever Shell demands in terms of price, which will continue to rise as the market gives it the ability to rise.

The Advantica report makes recommendations and highlights the fact that the Government does not have a risk-based framework for decisions on proposed and existing major hazard pipelines and lacks the transparency and consistency of a decision-making process. That is a nice way of stating that the Government has been shown up by this process as not being able to ensure fair governance and act in the interests of the people. That must be addressed before we can go any further.

The Minister is in awe of the oil industry. He must take into account that the oil industry has also produced extremely clear evidence that we are facing a peak in oil production. That will



mean that Ireland will be at the total mercy of spikes in oil prices which will ruin this economy, thanks to this Government. I ask that this be a clarion call to get over our reliance on oil and gas and move on. Government back-benchers are fixated on establishing how much oil and gas we have left. We cannot wait around for the last drops of gas and oil. We must move on. If this debate does anything, I hope it provides us with a launching pad for that more important and wider debate.

**Mr. Boyle:** Yesterday evening, the Minister for Communications, Marine and Natural Resources in his contribution stated that in his experience the motion before him was the worst he had the pleasure of having to respond to in this House. The Government's amendment to this motion happens to be the worst I have had the pleasure of having to witness in my short time in the House.

The Amendment is nothing but a series of back-clapping and false assertions about the Government's position on the existence or otherwise of an energy policy. The amendment calls on Dáil Éireann to recognise "that the development of Ireland's natural resources benefits the citizen of the State". It is hard to know whether that is a hope or an aspiration because it certainly is not a fact.

The amendment calls on Dáil Éireann to recognise "that the present fiscal terms for petroleum are based on the present perception of prospectivity in Offshore Ireland and recognise that we compete with other jurisdictions for exploration investment". That is nonsense. That is to state that every country has oil and gas deposits and we compete on which gets explored first. We live in a world of fast-diminishing fossil fuel resources and wherever they can be found there will be prospectors. The cards have always been in the Government's hand and it has always chosen to use them unwisely.

The amendment states that Dáil Éireann recognises "that the State is in receipt of royalties in relation to its major production facility at Kinsale", at last a fact. However, it does not explain why any subsequent oil and gas find here has had worse royalty returns to the State than we had in the original gas find in Kinsale.

The amendment continues to state that we recognise "that the completion of a comprehensive (and expensive) work programme is a requirement of frontier licences and failure to complete such a programme will result in either relinquishment or revocation of the licence". It seems to imply that at some time in the future, if the exploration companies have not done their jobs, the licences will be removed from them. The experience has been that not only have the licences been renewed, but that they have been renewed on a similar basis or a more favourable basis for the exploration companies.

The amendment recognises that "in practice Irish ports are widely used by petroleum companies but an obligation for the compulsory use of Irish ports would be anti-competitive and contrary to EU law". That is open to question, and certainly should be challenged. Maximising distances of dangerous substances has an environmental risk as well as an application in terms of EU competition law. The Irish Government can and should make arguments on that.

The next point in the amendment is on "the need for the State, as part of its energy policy, to increase the share of petroleum to be provided from indigenous resources in Offshore Ireland". That is the first news I received that this State has an energy policy. We seem to be making it up as we go along. To me, my party and many in society, increasing the share of fossil fuel use in light of a fast diminishing return seems nonsense that cannot be sustained in any energy policy which will eventually be submitted by this Government.

The Government's amendment calls for us to recognise "the implementation by the State of its requirements under the Strategic Environmental Assessment Directive". This is the most insulting element of all. The experience of the State and the Government in terms of many infrastructural developments here has involved a scant regard for this directive. When one considers the options available for refining in terms of the Corrib gas field, such as offshore, directly onshore or inshore, the fact that the State constantly promotes, at the behest of the company involved, the least environmentally friendly of those three options, a facility many miles inshore, shows this Government either does not know what it is doing or does not care, which is a more damning indictment.

**Minister of State at the Department of Communications, Marine and Natural Resources**

**(Mr. Browne):** The overriding fact is that Ireland has not yet established itself as a petroleum province. Our success rate to date does not match those of our neighbours in north-west Europe such as Norway, the UK and the Netherlands. Regarding Norway, it is obvious from this debate that the proposers of the motion have no answers to the reality that the Norwegian licensing and fiscal terms are a product of that country's success in petroleum exploration and production.

While Ireland had similar terms to Norway up to 1987, as my colleague the Minister for Communications, Marine and Natural Resources, Deputy Dempsey, pointed out, that country made 60 commercial finds compared to one in Ireland. Several of those finds dwarf the Kinsale field in size. These successes enabled Norway to become for a time the second largest exporter of oil in the world, behind Saudi Arabia. It is also obvious from this debate that Ireland's situation is different in that the prospectivity does not compare to Norway's, its offshore waters are deeper and

[Mr. Browne.]

therefore more expensive to drill and the lack of infrastructure compared to the North Sea in terms of pipelines, terminals and platforms make a discovery more expensive to develop.

Exploration levels must be maintained and even increased. The 1992 terms are seen as the best means of achieving that. That is not only the view of the present Government. These terms and their rationale have been accepted and implemented by every Government since their introduction 14 years ago. Current energy prices have increased levels of exploration activity around the world. Consequently, Ireland hopes to see more exploration.

The recent news that a major oil company such as Exxon Mobil acquired exploration interests in offshore Ireland is extremely welcome news. If Ireland is to reduce its present dependency on imported energy, it must promote exploration to find and develop its indigenous resources. The current state of under-exploration of offshore Ireland, particularly the Atlantic margin, can also provide opportunities.

Regarding the Corrib gas field, the Deputies will be aware that the Corrib safety study was published by the Minister yesterday. The Corrib gas field is a major infrastructure project, with the potential to play a significant role in the economic and social regeneration of Mayo and the north-west region. It will facilitate the improvement of the region's infrastructure and increase local employment in both the short term and long term. The development will also increase Ireland's security of supply by providing a reliable, secure and indigenous source of gas.

Some time ago, the Minister appointed Peter Cassells as a mediator in the Corrib dispute. Mr. Cassells is a former general secretary of the Irish Congress of Trade Unions and was one of the main architects of the social partnership agreements. I share the Minister's hope that the ongoing mediation process will allow all those concerned to work together to resolve the difficulties that have arisen. It is crucial that the project proceeds with the agreement of all the interested parties.

**Mr. Connolly:** I propose to share time with Deputies Gregory and Joe Higgins. I welcome the opportunity to speak in this debate, which affects the entire country, both land and sea. In my constituency of Cavan-Monaghan we have our own natural reserve of gold.

Regrettably, there is a sad history to our exploration rights and how we, effectively, gave them away. In 1967 we sold the exploration rights of shallow water finds of oil and gas for a princely sum of €625 to a company called Marathon Oil. All companies seeking to take up the current round of licences must sublet them from Marathon Oil, which is based in Texas. I do not know what we can do about having sold the rights and almost given them away some years ago, but we

should be fit to look at the terms and conditions under which companies operate.

At that stage it was envisaged the companies would pay 50% tax on the finds and the country would automatically inherit 50% of the shareholding of the find, along with 6% or 7% of the royalties. That struck me as a fairly good deal which the country could benefit from. It would also benefit from the spin-off industries associated with any such find.

In 1985, the terms and conditions were modified and a sliding scale of royalties was put in place. Perhaps this was the beginning of where we find ourselves today. In 1984, a gentleman called Denis Thatcher who had an interest in a company called Enterprise, was among a group which lobbied the Government. Shortly afterwards, the oil company succeeded in making the royalties disappear, in a move which went against senior departmental advice. The agreements were abandoned and the 50% stake disappeared. This was a giveaway of our natural resources. One would have to ask what happened in 1984 and the three following years. Why did the Government go against departmental advice? This was where the rot set in, and we should examine the issue again.

In the early 1990s, the tax take on the oil was reduced to 25%. However, the companies could write off this 25% against investments made in previous years and money spent in waters which were not Irish. We had given away any interest or benefit we would have as taxpayers. We also had the matter of frontier licences that were introduced. They allowed oil companies to hold licences for a long period, perhaps 20 years. The companies could sit on the licences and watch world market trends in oil prices. Along with 100% write-offs, this left Ireland in a very vulnerable position to be plundered. Even with a tax take of 25%, Ireland had the lowest rate of its kind in the world. We are giving away many of our resources.

**Mr. Gregory:** I understand the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, regards this motion in the names of Independent Deputies to be the worst motion to come before this House. Coming from the Minister, I regard this as a compliment.

**Mr. J. Higgins:** Hear, hear.

**Dr. Cowley:** Hear, hear.

**Mr. Gregory:** The general public throughout the country would regard the worst proposal to come before this House in recent times to be electronic voting machines, which came originally from the Minister. I will not call it a brainchild as it may be a misuse of terms.

In the context of this debate on the sell-out of this country's natural resources by Fianna Fáil and the Progressive Democrats, I condemn outright the decision yesterday to grant permission

to the Shell multinational oil company to proceed with a planned pipeline on the original route in County Mayo. I offer my absolute support to Micheál Ó Seighin and his courageous comrades at Rosspport for their re-statement of their intention to oppose that pipeline on safety grounds. I also support their determination to continue with the Shell to Sea campaign.

The intransigence of the Shell multinational oil company, which was all too evident on radio this morning, in refusing to consider any alternatives has again resulted in a countdown to conflict in Mayo. In this instance, not only are this country's natural resources being handed over free *gratis* to the multinational oil companies, but the same multinationals are being empowered by the Fianna Fáil and Progressive Democrats Government to take over the land of local people compulsorily to facilitate the passage of a highly dangerous production pipeline, with its volatile cargo close to people's homes.

All of this is a scandal of immense proportions. The fact Fianna Fáil and the Progressive Democrats are getting away with it has been facilitated by the dismal failure of the main political parties in successive Governments to safeguard our natural resources for the benefit of those who own them, the Irish people.

**Mr. F. McGrath:** Hear, hear.

**Mr. Gregory:** It has also been facilitated by the general failure to focus attention on this vital national issue. The media should be included in this blame.

Since November 2004 we have the unpardonable case where a licence granted to Providence Resources, headed by the billionaire Sir Anthony O'Reilly, means the company can now benefit from a 20% stake while all the exploration costs are covered by Exxon Mobil. Instead of even a 20% stake for the Irish people, we get nothing from this speculation and exploitation of our own resources.

**Dr. Cowley:** It is disgraceful.

**Mr. Gregory:** Under the terms given by Fianna Fáil and the Progressive Democrats to the multinationals, once the multinational gets the exploration licence, it effectively owns any gas or oil found.

**Dr. Cowley:** It is a giveaway.

**Mr. Gregory:** This motion, moved by the Independent Deputies, is putting the case that this scandal has gone too far.

**Dr. Cowley:** Hear, hear.

**Mr. Gregory:** It is gone past the time to say stop. We demand a total freeze on the issuing of any further exploration licences. We demand the establishment of a publicly owned gas and oil

exploration and recovery agency, independent of the multinational gas and oil conglomerates. We demand the recognition of the fundamental principle that the oil and gas resources off our coast belong to the Irish people and must be recovered and used in a way that benefits the majority of the Irish people.

**An Ceann Comhairle:** Deputy Joe Higgins has four minutes.

**Mr. J. Higgins:** I have six minutes. There was some confusion earlier but I will not go over six minutes.

**An Ceann Comhairle:** There appears to be confusion as this debate was meant to conclude now. We are already over time on the 90 minutes.

**Mr. J. Higgins:** I will not waste any more time. The motion recognises that oil and gas are finite resources, and that the burning of oil and gas for energy is a crucial factor in global warming, a threat to our environment which nobody can ignore. Therefore, the motion calls for massive investment in alternative sources of energy, which this Government has been pathetically laggardly in doing over the past nine years.

The motion is based on the principle that while we are dependent on hydrocarbons and alternative sources are being investigated, the exploitation of those hydrocarbons should take place in such a way as to benefit the majority of the Irish people rather than feed the insatiable greed for profit from major transnational oil and gas corporations. It is undeniable that this Government, which claims to be in control of the State and is therefore charged with using the State's natural resources for the benefit of society, has a policy of abject capitulation to corporate interests and puts those resources exclusively in the hands of those corporate interests. It beggars belief that this Government hands control of all our gas and oil resources to the major corporations, with no independent assessment. It is entirely dependent for information on the amount of wealth there is in the major corporations who seek to exploit it. It is akin to the Garda Síochána asking a thief to put a valuation on the swag from his most recent burglary, but that is what the Government's hydrocarbon policy has been reduced to.

The greatest expertise of these corporations is not in recovering oil from Nigeria to Iraq and East Timor to South America, but in stealing the natural resources of indigenous people at huge cost to them. The Government is addicted to its subservience to big capitalist interests and, like most addicts, it denies it. The blustering denials of the Minister for Communications, Marine and Natural Resources, Deputy Dempsey in the House last night were an example of that, as he dripped with contempt for this motion, the fundamental principle of which is that resources should be recovered for the benefit of the people. As

[Mr. J. Higgins.]

has been mentioned, this is a Minister who has monuments to him in every county in the State, not to his achievements but to his arrogance and incompetence, in the form of clapped-out electronic voting machines, mouldering in warehouses up and down the country to the value of €62 million of taxpayers' funds and a further €1 million in storage costs. The same Minister dared to come into the House last night and tell us that exploration for oil and gas wells by the State was not feasible because each well could cost €20 million. The people would infinitely prefer €60 million of their funds to be devoted to exploring for oil and gas, harvesting our natural resources, than rotting in warehouses around the country providing rental income for enterprising sheriffs and the returning officers who house them. We should alter the maxim "beat the swords into ploughshares", a very wise saying, to "beat the voting machines into oil exploration rigs" to bring natural resources ashore for the benefit of our people.

The billions of euro this Government has squandered in tax forgone to millionaire tax exiles, speculators and big corporate interests would have enabled all our offshore areas to be explored and hydrocarbons recovered. Instead we had to listen to the nihilism and pessimism of the Minister for Communications, Marine and Natural Resources, Deputy Dempsey, who trotted out argument after argument as to why it was not possible. He said that assembling the know-how, the machinery and the technology was too difficult. If his Fianna Fáil predecessors, though they were capitalist politicians, had followed those arguments 50, 60 or 70 years ago we would have had no electricity infrastructure in the State because that was what they had to do to harness that resource.

The spinelessness, cowardice and subservience to corporate interests of this Government are manifest, providing us with the grotesque spectacle of billionaire tax exile, the squire O'Reilly himself, speculating on frontier licences given to him by the Government, doing a deal with the corporate giant Exxon Mobil whereby he can sit on the Dunquin field without raising a finger. Exxon Mobil will incur all the costs but he will get 16% of the profits. The squire junior said they

applied for the Dunquin licence in the belief that the geology indicated a very serious prospect. The Irish Government could and should have foreseen that.

It is ironic we are talking about the Dunquin field. I am sure the people of Dunquin and the former residents of the Blasket Islands will cast a wry eye over this, considering how Fianna Fáil sold them out in the 1950s. Yet again the area off the shore of the muintir an Bhlascaoid is the subject of a major sale. When I hear of frontier licences I reflect on how apt the term is. We usually associate the term "frontier" with the wild west. It is cowboys, political and corporate, who have been involved in these shabby deals to sell off our natural resources.

The Minister made a big deal last night of the onerous task these major corporations have in holding a frontier licence for 20 years. What do they have to do? They have to drill two wells in 20 years. They will buy up the area and stay there as long necessary to prevent anybody else from having it, while they exploit oil all over the world. Then they will drill in this area when it suits their corporate profitability requirements.

**An Ceann Comhairle:** The Deputy's time has concluded.

**Mr. J. Higgins:** I will make my final point. The attitude of this Government is clearly seen in the treatment of the community of Rossport. It refuses to compel Shell, to whom it has given the fabulous wealth of gas and oil off the Mayo coast, to extract oil and gas in a way that does not threaten the community. It was scandalous that five residents had to go to jail to defend their community. Now the Government is giving Shell the right to go ahead after a little bit of window dressing.

**An Ceann Comhairle:** The 15 minutes are up, Deputy Higgins.

**Mr. J. Higgins:** Shell will again be in conflict with the people of Rossport and north Mayo. The sympathy of the Irish people will be with the residents when they again resist these predators to who the Government has handed our entire fabulous oil and gas wealth.

Amendment put.

The Dáil divided: Tá, 61; Níl, 55.

Tá

Ahern, Noel.  
Andrews, Barry.  
Ardagh, Seán.  
Brady, Johnny.  
Brennan, Seamus.  
Browne, John.  
Callanan, Joe.  
Callely, Ivor.  
Carty, John.  
Cassidy, Donie.  
Cooper-Flynn, Beverley.

Cowen, Brian.  
Cregan, John.  
Cullen, Martin.  
Curran, John.  
Davern, Noel.  
de Valera, Síle.  
Dempsey, Noel.  
Dennehy, John.  
Devins, Jimmy.  
Fitzpatrick, Dermot.  
Fleming, Seán.



Tá—continued

Fox, Mildred.  
Gallagher, Pat The Cope.  
Glennon, Jim.  
Grealish, Noel.  
Harney, Mary.  
Haughey, Seán.  
Hoctor, Máire.  
Jacob, Joe.  
Kelleher, Billy.  
Kelly, Peter.  
Killeen, Tony.  
Kirk, Seamus.  
Kitt, Tom.  
Lenihan, Brian.  
Lenihan, Conor.  
McEllistram, Thomas.  
McGuinness, John.  
Moynihan, Donal.  
Mulcahy, Michael.  
Nolan, M.J.

Ó Cuív, Éamon.  
Ó Fearghail, Seán.  
O'Connor, Charlie.  
O'Donnell, Liz.  
O'Donoghue, John.  
O'Donovan, Denis.  
O'Flynn, Noel.  
O'Malley, Fiona.  
O'Malley, Tim.  
Parlon, Tom.  
Power, Peter.  
Power, Seán.  
Roche, Dick.  
Sexton, Mae.  
Treacy, Noel.  
Wallace, Dan.  
Wallace, Mary.  
Walsh, Joe.  
Wilkinson, Ollie.

Níl

Allen, Bernard.  
Boyle, Dan.  
Breen, James.  
Broughan, Thomas P.  
Burton, Joan.  
Connaughton, Paul.  
Connolly, Paudge.  
Costello, Joe.  
Coveney, Simon.  
Cowley, Jerry.  
Crawford, Seymour.  
Cuffe, Ciarán.  
Durkan, Bernard J.  
English, Damien.  
Enright, Olwyn.  
Ferris, Martin.  
Gilmore, Eamon.  
Gogarty, Paul.  
Gregory, Tony.  
Harkin, Marian.  
Healy, Seamus.  
Higgins, Joe.  
Higgins, Michael D.  
Howlin, Brendan.  
Kehoe, Paul.  
McCormack, Pádraic.  
McGinley, Dinny.  
McGrath, Finian.

McHugh, Paddy.  
McManus, Liz.  
Mitchell, Gay.  
Mitchell, Olivia.  
Moynihan-Cronin, Breeda.  
Murphy, Catherine.  
Murphy, Gerard.  
Neville, Dan.  
Noonan, Michael.  
Ó Caoláin, Caoimhghín.  
Ó Snodaigh, Aengus.  
O'Dowd, Fergus.  
O'Keefe, Jim.  
O'Shea, Brian.  
O'Sullivan, Jan.  
Pattison, Seamus.  
Quinn, Ruairí.  
Rabbitte, Pat.  
Ring, Michael.  
Ryan, Eamon.  
Ryan, Seán.  
Sargent, Trevor.  
Shortall, Róisín.  
Stagg, Emmet.  
Timmins, Billy.  
Twomey, Liam.  
Upton, Mary.

Tellers: Tá, Deputies Kitt and Kelleher; Níl, Deputies Gregory and Cowley.

Amendment declared carried.

Motion, as amended, put and declared carried.

**National Sports Campus Development  
Authority Bill 2006: Second Stage (Resumed).**

Question again proposed: "That the Bill be now read a Second Time."

**Mr. Connaughton:** When I spoke on this Bill last night, I agreed it is a good idea in principle. It is important that everything to do with sport is properly overseen and given the leadership it deserves. A total of 30 governing bodies have indicated they intend to use the new complex. How sure is the Minister of State that they will use it? I am delighted the FAI will use the campus as its headquarters but what about rugby,

Gaelic games and hockey? How does the campus link with Croke Park? There has been much talk about Abbotstown over the years and the legislation will be passed shortly. Will we soon find out what organisations will take part or is there a danger that when the campus is built half the organisations mentioned will not take part?

**Mr. B. Lenihan:** The organisations are very anxious to take part. I have the privilege of representing the area and they are delighted to come out there.

**Mr. Connaughton:** I am glad to hear that. There have been occasions before where we were told groups had a huge interest but they did not turn up.

[Mr. Connaughton.]

What costs are involved for the organisations concerned? Will they pay rent on a long-term lease? Will this project pay for itself or will it be funded by the taxpayer? We all support this legislation but the National Aquatic Centre has had a chequered history over its short lifespan. We hope that whatever is built, more thought will be put into its management than went into the National Aquatic Centre. Things went badly wrong there. It is not that we did not want such a centre but I hope the way we went about getting it will not be replicated in other projects.

I heard the Minister for Arts, Sports and Tourism, Deputy O'Donoghue, patting himself on the back in recent weeks. It is difficult to understand, however, that only 23% of second level schools have a sports hall. I am not involved in education but I would have thought the figure would be much higher. When we talk so much about obesity and related issues, physical education should be available in every school and should be augmented by the provision of a sports hall. If children are missed at that stage, it is hard for them to develop a new found interest later in life.

**Mr. Ferris:** When the Minister spoke on this Bill, he referred to the enormous pride that comes from sporting achievements at all levels. In particular, he mentioned the sense of belonging and identity that it engenders in communities. I can identify with this, because this year my club, Ardfert, won the all-Ireland junior club championship. Apart from the players and those otherwise connected to the club, the whole area was involved and interested. The progress of a small club team from a predominantly hurling area as it won an all-Ireland football championship brought a great boost to the community, the wider area and the county. I noticed the same level of commitment and pride in other clubs we met along the way from within and outside the county, both in Munster and in the all-Ireland semi-final when we played Monaghan and the all-Ireland final when we beat Loughrea. It can truly be said, therefore, that the GAA clubs are often the heart and soul of many communities, be they in rural parishes such as Ardfert or in urban west Belfast or Dublin. However, many of these clubs do not have permanent pitches or clubhouses. Most of us have made inquiries regarding sports capital grants on behalf of not only GAA clubs but soccer, rugby, boxing, rowing and sailing clubs that are in need of support. This is a problem particularly in Dublin, other cities and in large towns due to land values and the structure of ownership. One is unlikely to find many landowners willing to donate or sell a field in the way that might happen with a farmer in a rural parish.

The problem was brought home to me when I was part of an election team in Clondalkin a few years ago where a local soccer team catering for children had no such facility. In a particular area

the whole amenity was an old container. A pitch was provided by Dublin Corporation and there was a container to cater for thousands of young people. I am aware of a club in the city which won a junior B championship two years ago which still has no pitch or clubhouse. It is interesting to note that less than 20% of Dublin City Council pitches are leased to the GAA. There are only two grass pitches in the south inner city. The newly formed juvenile rugby team in Marlborough Lane, the first for many years in the inner city, has to travel to the Phoenix Park to train or to play on grass. That is a massive indictment on the system and on those who have the coffers to provide facilities for people in need, particularly in the more deprived areas. It is an awful indictment that an area such as Clondalkin with a population of 80,000 has no facilities for young people. A container is the only facility where the kids can tog out and play.

The Minister referred to the lack of participation in sport by young people and the problems to which it leads, ranging from poor health to anti-social behaviour. We have to ask why there is anti-social behaviour. When there are no facilities for young people and the State does not provide them, then the State is contributing to the problem of anti-social behaviour. If the facilities were in place and there was a mechanism to introduce children to sport at a young age it would be one of the greatest defences against problems in Dublin or anywhere in the country. I know that from personal experience.

Surely the solution is greater support for local sports groups, particularly in areas such as the one I have described, rather than expect that children will be inspired, simply by wishing to emulate people they may see performing at international level or in prestigious national events. Those men and women would not be capable of participating at such levels were it not for the humble local clubs where they began. We have to recognise that people who give voluntarily of their time provide one of the greatest services to the State.

The sports capital scheme is an excellent idea through which a significant amount of money has been distributed. I suggest it be revised to allow for grants for clubs to acquire property. The emphasis on all sports investment needs to be at local level rather than at prestige national arenas. That is not to say that such projects ought not to be proceeded with and there is a better balance being struck in regard to sports investment than in the past.

I have concerns about the motives behind the Abbotstown project and the manner in which the whole issue of the main national stadium is being dealt with. There is a perception that this Bill is being introduced to revive a proposal initially overruled by the Minister's partners in Cabinet. The likely difficulties surrounding planning issues for the redevelopment of Lansdowne Road may make the development of a stadium at

Abbotstown a necessity, or, at least, that may be how it will be explained.

In reply to a question in the House last month the Minister said there was no plan B if the Lansdowne project runs into difficulties and the proposed new stadium does not go ahead. That is a failure in responsibility, because it is a possibility. Surely there is a need for a plan B as the GAA cannot be expected to come to the aid of the IRFU or the FAI for ever more. If there is a plan B and if this Bill is laying the ground for such a plan, by facilitating the development of what might become the much talked about national stadium, the Minister ought to state that plainly and clearly.

**Mr. Healy:** I welcome the opportunity to speak on the National Sports Campus Development Authority Bill 2006 which was published in February. It provides for the establishment, on a statutory basis, of the National Sports Campus Development Authority, and succeeds Campus and Stadium Ireland Development Limited. It will oversee the planning and development of a sports campus at Abbotstown.

The Bill sets out the functions of the authority which shall be to develop and manage a sports campus on the site and to encourage and promote its use by professional amateur sports people and members of the public alike. Its provides for the site owned by the Minister for Agriculture and Food to be conveyed to the authority, if necessary, and if necessary also for the authority to develop the land pending the conveyance of the site from the Minister.

I welcome the Bill and what it is trying to do. Everybody involved in political and community life would welcome it. It promotes sports and seeks to provide proper facilities for sport at national level. We hear a good deal nowadays about infrastructure, roads, railways, broadband and bridges and how necessary they are. The most important infrastructure is human beings. It is important that resources are put into services for people, to ensure they are properly educated, housed, have a proper health service and access to sporting facilities and sports generally. If people are active in the sports, whether Gaelic football, hurling, soccer or rugby, it diminishes the likelihood of difficulties arising in the area of anti-social behaviour. Any resources that can be put into developing services for human beings are welcome. I welcome the Bill from that point of view.

I hope the emphasis on sport and its development will start the fight against obesity which is prevalent in young people. Unfortunately many young people choose to use Playstation or a television or video screen rather than engage in active sport.

When the Abbotstown facility is developed, access should be available to everybody and not just elite sportsmen and women. The facility must be open to all and they must be welcomed into

it, irrespective of their level of competence in a particular sport and there must be provision for the disabled. In the past, the disabled have not been provided with access to such facilities. I know of a number of cases where access was not provided to newly completed or renovated swimming pools. Some groups in our communities have been excluded from what are considered normal activities for the community. I hope the members of those groups will have access to the Abbotstown facility.

The Abbotstown facility should be run on a value for money basis, but not on a for-profit basis. It should work to break even and should subsidise full access for the elderly, the disabled or those who have been socially excluded. The emphasis should not be on making money, or on breaking even.

I compliment and thank the huge numbers of people regularly involved in voluntary work in sport throughout the country. It has become more difficult to be a volunteer in this era because of work and family commitments, but many people still give of their time to their local community and sports clubs. I am sure the significant work done by the large numbers of people involved in my area is reflected throughout the country. They are involved in running local soccer, GAA, rugby, tennis and swimming clubs etc. without financial or other reward apart from that of making their talents available to their local communities.

Many Deputies from both sides of the House have repeatedly asked the Minister for Enterprise, Trade and Employment to remove the cap from the social and community employment schemes. We have been calling for the removal of this cap since the Tánaiste was the relevant Minister. The cap has a significant effect on the running of sports clubs. I mentioned already the voluntary work done by most of the people involved in local clubs, but the support of community and social employment schemes is also an important element for these clubs. Many of these schemes are under serious pressure because they are not getting sufficient numbers of applicants because of the capping regulations.

I urge the Minister to reconsider and remove the cap. If it is not removed many of the schemes will finish. Some have already ended while others have been amalgamated. Prior to Christmas, 50 places were lost on such schemes in my constituency. I have been told that unless capping is removed by the end of this year, there will be significant vacancies that will lead to the closure of many of the schemes.

It is important to take the right approach with regard to the provision of sports facilities in schools and to deal with this issue urgently. Many of our schools have no sports facilities. A recent survey showed that only 23% of primary schools have sports halls, many of which are small, cramped and not really suitable for the purpose. The Minister for Education and Science must take a serious interest in this area. It appears that

[Mr. Healy.]

the Department has decided that the provision of sports halls will no longer be part of new secondary school developments. Scoil Ruane in Killeenale, County Tipperary, just on the border of my constituency, has been looking for a sports hall for several years, but has just been told that it is no longer the policy of the Department to provide these halls. This is a detrimental step and should be reversed. Sports in schools should be supported by the Department.

While I support the development of the sports campus at Abbotstown, I hope it will not interfere with the development and funding of sports facilities at local level. I would like to see a bottom-up approach. Local sports halls and facilities should be provided in all areas. Local clubs, which operate in most cases on a voluntary basis, must be supported and their funding should not be diminished as a result of the funding of the Abbotstown development.

The human infrastructure is vitally important for the future of sport. I support and welcome the Bill. I hope the development of the Abbotstown sports campus will not diminish the funding or support for local initiatives for which I urge the Minister to provide additional funding.

**Mr. McHugh:** I wish to share time with Deputy Harkin.

**Acting Chairman (Deputy Cowley):** Is that agreed? Agreed.

**Mr. McHugh:** Sport is our great national pastime and involvement in it provides a sense of well-being and an emotional outlet for people of all ages. It builds character. Active participation in competitive or recreational sport makes a major contribution to the physical and mental well-being of people and the nation. Success at national and international level in competitions creates a sense of pride and increases morale. Involvement in sport creates a sense of unity and identity for communities, towns and villages in every area of the country. The achievement of our top competitors and the realisation of the hard work, commitment and dedication involved in achieving success spurs us all to greater effort and raises our spirits. Young people in particular need role models and heroes who will inspire and encourage them to higher achievements.

Much progress has been made in bringing our sporting facilities into line with the best international standards and it is only fair to recognise the progress that has been made and acknowledge the funding provided for many facilities. There are many blackspots, however, including in my constituency. I refer to one of those blackspots, namely, Tuam stadium in County Galway. I have raised this issue with the Minister on several occasions but unfortunately he has not responded in the appropriate manner by allocating a decent sum of money to enable the refurbishment of the stadium and the building of a stand, modern dressing rooms and ancillary facilities. A paltry sum was allocated by the Minister some time ago but in the context of the amount required, the allocation was peanuts. I ask the Minister to take this project seriously and allocate a realistic sum of money to a project which he has effectively ignored over the past nine years.

In considering the Tuam stadium project, will the Minister take into account the fact that north Galway is the home of Galway football and Tuam stadium the stage on which the footballing prowess of that region was showcased? Unfortunately, because of the neglect of this stadium, teams involved at top level must now travel from the Roscommon border to Galway city to take part in top level matches. Will the Minister also take into account the fact that Tuam has been designated as a hub town, one of the characteristics of which is that it would have top class sporting facilities? Tuam does not have those facilities. I remind the Minister also that Tuam has RAPID designation and, as such, is entitled to special funding and treatment from Government. This debate gives me the opportunity to put forward the case for Tuam stadium and I do so on the basis that sporting facilities should be provided throughout the country to ensure an equal spread of facilities.

On the Abbotstown sports campus, one must ask if the location for such a facility is the correct one. It galls me that everything of substance proposed by this Government must be located on the east coast. I question the location as a Deputy from the west. My constituents, or people from the larger area of Connacht, will have major difficulty in accessing this facility. For example, for young people or students who wish to pursue a career in sport and, as a stepping stone, want to use this centre, it will be next to impossible to access the facility, not least because of the inadequate and often absent infrastructure such as roads and rail. Also, the distance to be travelled will make it impossible.

I welcome the fact that a centre of excellence is to be provided but I question the location. In providing such a facility, which will be a once-off, there is an onus on the Government to get it right and ensure there are no cock-ups or questions to be answered during the construction of the project or after it. On this occasion the Government should ensure that there is no place in this project for shelf companies or the like. In that regard, I am reassured by the fact that the shadow of Con Haug hangs over this project. He has a long record of faithful service, for which I thank him.

Phase 1 of the plan for this development will provide a national field sports training centre catering for Gaelic games, rugby, soccer and hockey. A national indoor training centre will provide top class training facilities for more than 30 governing bodies of sport such as basketball, badminton, bowling, boxing, judo etc. It will provide accommodation for sportsmen and



women, sports science and medical facilities and all-weather synthetic pitches for community use.

The community use aspect is interesting and I want to refer to a national community organisation, that is, the Community Games organisation. That organisation does not have a permanent home. I ask that it be accommodated in this development. It does good work throughout the country and that should be recognised. The greatest means of recognition of the Community Games organisation is to give it a home. The Minister now has a golden opportunity. The Community Games organisation caters for all youth and many activities and if it is not robustly supported by Government, our youth will be the poorer.

**Mr. B. Lenihan:** Perhaps the Deputy would ask the organisation to make a case on that issue.

**Mr. McHugh:** Yes.

**Ms Harkin:** I am pleased to have the opportunity to speak on the National Sports Campus Development Authority Bill 2006. The Bill proposes the creation of the national sports campus development authority to oversee the planning and development of a campus of sports facilities at Abbotstown, County Dublin. This saga has a chequered history but it is recognised that a national sports campus is a positive move. Nationally, we will all benefit from that level of expertise. According to the legislation, it will be used by professional and amateur sports people and members of the public. Furthermore, according to the legislation, the authority may engage with a body involved with the promotion of sport at a national level. That is the issue on which I want to concentrate, perhaps more on a regional level.

While I am happy to support a national centre, I am also very concerned about what happens at regional level. We also need sporting facilities in the regions and we need that balance. For many years I have campaigned and asked for balanced regional development — a balance of economic development between the regions. Just as important for people's quality of life is a balance between sporting and recreational facilities. We in the regions are taxpayers too and deserve equal treatment. The reason for my ongoing concern is that the regional sports measure under the regional operational programme has not yet been activated.

We are five and six months into the national development plan. It finishes at the end of 2006 and will we ever see the start of this programme? Over the past four years, I have written to the Minister on a number of occasions. I have his reply, which I will quote shortly, to my questions about this programme but it is worth noting first what is said about this programme in the NDP:

The quality of the cultural, social and recreational infrastructure has a significant role to

play in enhancing the attractiveness of a Region, as a place to . . . visit, work or establish an enterprise. Thus, the provision of high quality cultural, recreational and sports facilities will be an important element in the drive to strengthen population structure and promote development throughout the BMW Region.

In prosperous and populous communities, many sporting and recreational facilities will be supplied by the market or by the communities themselves through voluntary efforts. However, in many areas of the BMW Region, this is not possible. Consequently, public sector involvement will be necessary to assist in the provision of such facilities.

Those are the Government's own words. It states that public sector involvement will be necessary to assist in the provision of those facilities. It states also that funding under this measure will be available to assist local authorities in the provision of multi-purpose sport and recreation facilities, especially in areas which lack them, and upgrade existing facilities.

What has happened since? I will quote from the Minister's reply to a parliamentary question I tabled on 15 November 2005. Before tabling this question, I wrote to the Minister on a number of occasions about activating this sub-measure and tabled various questions. This is the most recent reply I received from him. I have checked with the Border, Midland and Western Authority and I understand, based on information received from the authority, that this measure has not yet been activated. In my question to the Minister on 15 November 2005, I asked whether the regional sports measure under the regional OP had been activated, whether funding had been drawn down and, if not, when he proposed to fund this measure in view of the fact that this current regional OP will finish at the end of 2006. According to the Minister's reply:

The sports and recreational facilities sub-measure falls under the local infrastructure priority of the regional operational programmes of the national development plan 2000-2006. It was planned that funding would be provided under the sub-measure by this Department to local authorities and voluntary and community organisations to assist towards the provision or upgrading of multi-purpose sport and recreational facilities. The commencement of the sub-measure was delayed until the completion of the Government's national spatial strategy in order to target support in accordance with the implementation of that strategy. The intention was that once the regional gateways were identified under the national spatial strategy, proposals would be invited from local authorities whose administrative areas contain such designated regions and grant aid would be allocated to suitable developments.

[Ms Harkin.]

The Minister's reply referred to the national spatial strategy, but this strategy was published in 2002. If we examine the strategy — I refer in particular to my region — we can see that Sligo was designated as a gateway under the strategy and comes under the heading of larger urban areas. According to the strategy:

If balanced regional development is to work, the spatial structure outlined in section 3 must be supported by policies aimed at enhancing the attractiveness of areas for people. Physical and cultural liveliness will be required to ensure that there is a combination of attractive social and cultural facilities for both people and business.

The strategy lists some examples of at the gateway level, one of which involves “building on the progress made to date in enhancing the physical fabric and improving cultural and leisure amenities in Sligo and Dundalk”. We awaited the activation of this measure but nothing has happened since the strategy was published in 2002.

Sligo Regional Sports Centre requires substantial investment and support to help it meet the needs of a gateway city, a designation given to Sligo by the Government. It was announced recently that the public swimming pool at Summerhill College in Sligo will close in June 2006. This swimming pool is a private facility but has been available to the people of Sligo town and the rest of the county and surrounding counties for over 30 years. This facility has been available to people thanks to the diocese of Elphin and the college itself long before there was any public indoor facility in Sligo town. The children of Sligo have learned to swim and life save in Summerhill College's pool, which has been an extremely important part of the fabric of life in Sligo and surrounding counties.

However, for a number of reasons, among them health and safety issues, the pool is to close. What will happen to the children who are currently learning to swim in the pool and children who could swim there in the future if it remained open? Comparable facilities are not available in Sligo. The pool in Sligo Regional Sports Centre is unable to cater for the numbers of people wishing to use it. The pools in both the centre and Summerhill College are full. People from Leitrim, particularly north Leitrim, and all over Sligo come to swim in the pool in Summerhill College. This facility will close at the end of June, yet a measure which was supposed to begin at the beginning of the national development plan in 2000 or, at least, with the publication of the national spatial strategy in 2002 has not been activated and no funding has been drawn down. This funding is available to local authorities and voluntary groups.

Will this money be made available? At the end of the Minister's reply to my question on 15 November 2005, he stated that substantial fund-

ing for sports facilities would be sought by his Department in the context of the 2006-10 sport capital envelope. Can we expect that this envelope will contain funding for a new pool in Sligo? As in many cases, people in the regions often have to wait at the end of the queue. We know all about the underspend and the national development plan as it stands. In that context, I echo the comments of Deputy McHugh about access for people from the region.

I have made my case to the Minister, who I hope is listening. I hope something will happen on foot of this because the end of the current national development plan is close. A number of speakers referred to the fact that all sporting facilities will be accessible to people with disabilities, a very important measure which is undoubtedly a necessity. People in the regions pay the same taxes as everybody else. I ask the Minister to look at matters from a regional perspective and activate the regional sports measure so that programmes like the swimming pool in Sligo or the expansion of Sligo Regional Sports Centre can take place within the lifetime of this national development plan.

**Mr. Eamon Ryan:** I recently read an interesting argument from a UK commentator which related to the UK Government but which also applies to the Irish Government and my thoughts on this Bill. According to the commentator, people can sometimes understand, accept or cope with a government whose motives, honesty or integrity they suspect but will not tolerate a government whose competence they doubt. Incompetence is the greatest electoral or political sin a government can commit.

This is possibly the reason so much attention has been paid to the PPARS system and electronic voting and the reason the Government is so frustrated by this attention. These are clear examples of incompetence. One of the clearest examples of Government incompetence is the concept of locating the national sports campus in Abbotstown. This incompetence goes right to the top because it was clear from the beginning that it was the Taoiseach who managed and led this project, thereby testing his competence. Whether one examines the issue in terms of the management structure, the building arrangements, the contracting arrangements for the company, the original management system and the management system put in place for the particular swimming pool, it speaks of incompetence.

The greatest example of incompetence in respect of this project, which led me to question the competence of the Taoiseach, was his insistence that we put a stadium on the edge of the city. From my perspective as——

**Mr. B. Lenihan:** It is not on the edge of the city. A total of 100,000 people now live in that area.

**Mr. Eamon Ryan:** It is on the edge of the city in the sense that it is on the outside of the M50. The Minister of State and I will disagree about this and about how our city develops. If I represented that area, I would possibly welcome a facility in it. However, this stadium was to be a national stadium and there is a world of difference between a national stadium in a city centre location and one in an out of town location. I favour the concept of placing a national stadium in a city centre location where tens of thousands of people can walk to it, as they walk to Croke Park and Lansdowne Road. This approach to a stadium is the correct one in terms of how it affects the city and the game itself. Walking down O'Connell Street during an all-Ireland final and seeing Clare and Cork supporters filling the street wall to wall is one of the proudest and most exciting and invigorating occasions in this country. Seeing Munster and Leinster rugby fans in the vicinity of Lansdowne Road is similarly exciting. The meeting of tens of thousands of fans on the streets and in the pubs before and after the game is as much the essence of the event for me as the game itself. One cannot get this in a location on the edge of the motorway system. As much as I would like to make it out from my constituency to the proposed stadium at Adamstown, I would find it easier to go to Sligo via public transport.

**Mr. B. Lenihan:** Abbotstown.

**Mr. Eamon Ryan:** The car-based transport system solution is not working. It is a fundamental flaw in the Government's planning approach, which this project epitomises more than anything else. The Minister of State may say that we will have a metro system to serve the stadium but I have never believed the Government concerning its transport plans in that regard. The metro project is years behind schedule and the Government has shown no urgency in providing a connection. It was the first link to go. While the location may be very suitable for the Minister of State's constituents, for mine it would prove inaccessible. Does the Minister of State want to intervene?

**Mr. B. Lenihan:** I understand the stadium is being built at Lansdowne Road.

**Mr. Eamon Ryan:** I know. I am glad it is being built at Lansdowne Road.

**Mr. Deenihan:** The Taoiseach changed his mind.

**Mr. Eamon Ryan:** That the Taoiseach needed to be dragged kicking and screaming is exactly my point. He never accepted that conclusion and I question his competence and management of this project, which was epitomised by a mistake he refused to recognise. I do not know for how many years he has been a Minister or Taoiseach — it must be the guts of 20 to 25 years — but

perhaps the concept of walking to an event is alien to him or far removed from his experience. As he arrives at everything with a star in front of his bonnet, it does not matter to him whether the star leads him west to Abbotstown or takes him on the short run from St. Luke's to Croke Park. However, if I want to bring my sons to a game, I must walk or go by bus. This is a fundamental issue that changes the nature of the city.

I have never had an opportunity to set out my views on that decision or the Taoiseach's performance but will do so now. It was the greatest example of incompetence in planning and epitomised to a certain extent the lack of planning and concern within our city in respect of the creation of what is known as the doughnut city, whereby we are starting to put everything around the M50. Ikea will go to the north slip road of Ballymun, we were going to put our national sports campus out there and, this morning, I read that the Minister for Transport is considering putting a centralised bus service point on the edge of the city.

When I examine these series of decisions in pure planning terms, I see that an edged city — turning Dublin into the equivalent of Houston, Dallas or another American car-based transport system city — does not work. More than anything else, it impinges on the social capital that the Taoiseach says is his mantra, and Mr. Robert Putnam's belief that we must build up strong communities. We must do this by proper transport planning first and foremost. On the one hand, the Taoiseach espouses this concept and, on the other, he insists that developments such as sports stadiums are located out of town rather than in the city centre. Happily, the Government has finally decided to locate the stadium in the city centre.

Beyond the stadium, the development of the sports campus is a slightly different matter. If we are examining the development of an area where professional athletes go for a period of time to train and hone their skills, planning with a particular civic sense is less important. As a south side resident of the city and as much as I would love to bring my children to the aquatic centre, I have not done so because there are no proper public transport connections in my constituency. If this authority must set its agenda when it is established and forgetting about Deputy Harkin or representatives from other parts of the country who may need to drive to these facilities, what public transport links would it provide for my children on the south side of the city? We are not far away from the facilities, only ten or 20 miles away, but going by car via the M50 would take hours. It is an unpredictable voyage.

The first task of any national sports campus authority is to determine how it will become a national and city one in terms of ready access. Currently, that access is not available to me. If the Government and sports authorities believe that this centre on the M50 is the place to put



[Mr. Eamon Ryan.]

professional elite training facilities that can also be used by the public, so be it. I have a lesser problem with that than I do with the concept of a civic centre, the national stadium, being out there.

Something on which the Minister of State with special responsibility for children might have a view is that the large expenditure on this project contrasts with my experience of large numbers of children growing up in Dublin and other parts of the country without the simple facilities to play games in primary schools. I can only speak about primary schools as I have more direct experience of them, but I am sure the same is also true of a number of secondary schools. Children in my constituency do not have basic facilities to play a game of football in their schools or the curricula set out to rate sport where it should be, that is, a central tenet in the development of a child or young man or woman.

While our country has advanced and modernised in many different ways, I see no real change in modern thinking or an emphasis placed on this central aspect of our development as people, that is, our ability to partake in and express ourselves through sporting activities. The absence of participation at the youngest level organised by the State rather than in a private manner is remarkable. The considerable development of facilities on a professional or elite basis should always come second to the promotion of the involvement of all children, men and women. I contend that in a sense, this is the test of our success as a society, not how many Olympic medals we garner or professional athletes we have working at a particular level.

I would take my sporting cue from Con Houlihan, a sports journalist and writer who I have admired for many years. As a Kerryman, Deputy Deenihan may know him better than I, but in reading his writing, what was remarkably strong was the aspect of always returning to the local level, the battle between the local village or parish team against a neighbouring parish team, which epitomised all the great elements of sport. It did not need to be a professional, elite and segregated specialist activity. Con Houlihan's vision of what sport represents is the glory of the locality. If we move down the road of sport representing the elite and highly honed who do not have that connection to the local community or sense of place, it will not be as rich an experience.

In principle, I do not oppose the development of such a campus, which would promote excellence, but believe that it must be balanced by proper investment in the local, the primary school, the parish hall and the local pitch on behalf of the State. Unfortunately, like many I question the competence of this Government to get this matter right.

**Mr. Connolly:** I welcome the opportunity to say a few words on this issue. I also welcome the

notion of the development of a national sports stadium. It would be quite difficult to oppose such a development because it creates an emphasis on sport, which is one of the best gifts that could be given to or encouraged in a community. We regularly discuss the abuse of drugs and alcohol, but sport is something that will take people off the streets.

At national level, the stadium will do its bit. If we have quality athletes, we should want quality facilities in which to train them. When we examine this issue, we probably consider our own areas and what should be given to them to help. Given how facilities were provided when I played football etc., the GAA has done much on a county by county basis. As for any of the clubs in counties Cavan and Monaghan, one facility is better than the next. The GAA provides a fantastic service to rural Ireland. While a number of rugby and soccer clubs are also to be commended, the GAA is present in every parish. People put in a great deal of voluntary effort and are aware that in so doing, they support and benefit the community in which they live.

Some years ago, football facilities were fairly poor. When playing a match or training, one might be obliged to tog out in a shed, a car or sometimes on the side of the pitch and to get on with business afterwards. Thankfully, this has changed because younger people have different expectation levels and people are treated better now than in the past.

While I welcome the national aspect of this Bill, it provides Members with an opportunity to consider local provision. I intend to use today's debate to raise the issue of St. Tiernach's Park, Clones. Traditionally, the GAA Ulster final has been played there for just over 40 years and has been the lifeblood of economic activity in the town. Clones is a Border town which was effectively cut off during the Troubles. While it suffered much economic hardship at the time, it was able to look forward to occasional events because of the development of the pitch. This was initiated in previous years by the Clones community with the assistance of the GAA's Ulster Council. The pitch has been developed into one of the country's finest.

However, GAA followings in Ulster are now so great that it is unable to host all the local Ulster matches. Recently, it was necessary to move an Ulster final from St. Tiernach's Park, Clones, to Croke Park. Ultimately, the people who took that decision were proved correct, as the crowds travelling from Ulster were so great that it was impossible to get tickets for the match in Croke Park. This signifies that the demand for football, and hence for stadiums, is especially high in the area which I represent.

Clones is unique in that it has top quality grounds as well as a good tradition of being capable of hosting Ulster finals. Moreover, the emphasis no longer merely on Ulster finals, as a



considerably greater number of championship games are now played on foot of the introduction of the GAA's back door system. This leads to much championship activity for longer periods in the summer, which brings benefits to both the players who train throughout the winter and to their supporters who see more of their team. The Government should consider the application which seeks national sports capital funding to extend the pitch in Clones.

A further advantage is that many people who attend matches in Clones come from Northern Ireland, which involves taking money into our economy. Sterling is taken in when such people come, spend and stay. Moreover, surrounding towns such as Monaghan town, Ballybay and Castleblayney all receive some spin-off benefits. Hence, this proposal merits serious consideration.

In addition, if the Government were seen to pump money into Clones, the Ulster Council might also dig into its coffers or make a decision to the effect that Clones would become a headquarters site. However, if this opportunity is lost, it is possible that Casement Park, Belfast, might be developed as a headquarters site. At present, it does not have the same level of access as does Clones because, since the advent of the peace process, an additional five roads from Northern Ireland have been opened. Hence, access to Clones is much better and a number of bypasses are due to open in the region. The alternative is that this opportunity could be lost to Belfast and money would leave our economy rather than entering it. If the Government decided to spend the money, the economy would benefit in the long term from the number of people who would travel south to Clones to attend Gaelic football matches. Clones suffered economically and this would be a great opportunity for both the town itself and the country.

Normally, when one discusses football, there can be bitterness between different counties and people of one county might not support those of another. However, this case, as far as my constituency is concerned, I have the great pleasure of being able to state that my Oireachtas colleagues from Cavan support the concept of developing St. Tiernach's, which I welcome. As one should pitch for one's own county, their willingness to support the proposal is a very magnanimous gesture and this degree of unity should be taken into consideration.

**Mr. B. Lenihan:** The constituency also elects four Monaghan Deputies.

**Mr. Connolly:** That is also a generous gesture and I hope it continues. The proposals envisage crowds of 30,000 people coming to a town which has a good history of being capable of hosting events. This small town and county also have a history of producing world champions. I refer to Barry McGuigan, who brought great pride to the nation. Moreover, the boxer, Kevin McBride,

also brings great pride to us. In addition, Ciaran Murray is physiotherapist to the Irish soccer team. There are many good people in Clones.

While this would cost approximately €23 million, it would be money well spent, as it would be if such a facility existed in each province. While the notion of a national campus is worthwhile, Members should consider the regions in the context of decentralisation. People follow facilities. When someone considers a move to the west, the presence of a good swimming pool, football facilities, rugby, golf or whatever can be used a means of attracting him or her. Some Departments have encountered difficulties when people are asked to relocate to different towns. The first thing such people do is examine the services of the town in question. They consider the infrastructure and what it has to offer in terms of schools, colleges and medical facilities.

The better the amenities that are piled into Dublin, the more difficult it is for people to leave them. Hence, the regions should not be forgotten. Facilities should be provided in the regions to give people a reason to decentralise. If people affected by decentralisation knew that such facilities were to be provided in the regions, it would sweeten the pill for many of them. People have families in Dublin and are tied to life in the city in different ways. They must be given a carrot rather than a stick.

**Minister of State at the Department of Education and Science (Mr. B. Lenihan):** I will reply on behalf of the Minister for Arts, Sport and Tourism. While the Minister cannot be present, he wishes to thank Deputies on both sides of the House for their constructive insights into and measured responses to this Bill and the wider aspects of sport as they affect us all as individuals, a community and a nation.

On my behalf, I greatly welcome the introduction of this Bill because I represent the area in which the national sports campus will be established. The Bill will establish the new statutory authority which will be charged with making a reality of the vision of that sports campus at Abbotstown. I have been an ardent and outspoken supporter of the concept of the sports campus since it was first mooted by the Taoiseach. I congratulate my colleague, the Minister for Arts, Sport and Tourism, Deputy O'Donoghue, for introducing this important legislation.

Deputy Eamon Ryan's contribution implied that somehow, the sports campus will be developed on the edge of the city. Speaking as a Deputy for the area concerned, there is a growing need and demand in the greater Blanchardstown area and in the Fingal area in general. It is not widely known that the administrative area of Fingal covers an area of approximately 173 square miles. It has a population of almost 210,000 souls, which is projected to grow to 260,000 by 2010. Within a decade, more people

[Mr. B. Lenihan.]

will live in the area covered by Fingal County Council, which is on the north side of Dublin, than within Dublin City Council's functional area on the north side of the city. Hence, it is very misleading for Deputy Eamon Ryan to describe this area as being in some way part of the edge of the city in terms of the development taking place in Ireland at present. I understand the point he made about the M50 motorway. As I am sure many Members of the House commute on the motorway from time to time, they will be aware of the huge spread of development that has taken place to the west of the motorway. It is no longer an orbital hub, which is one of the difficulties.

The decision to proceed with the sports campus is a commitment by the Government to invest in an area which is the most rapidly growing area, not just in Ireland but in Western Europe, and to provide badly needed facilities to support the huge local community that is emerging in the region. There is an emphasis in the plans for Abbotstown on providing sports facilities for elite sportsmen and women. There is also a commitment to provide community facilities. This is important because Abbotstown cannot just be about elite athletes. That point was made by many Deputies in the debate. The development at Abbotstown will complement the work being done by the local sports partnership in the local community. The development control plan prepared for the site includes 16 seven-a-side pitches. It is a welcome development given the heavy demand for that type of facility. There are also plans to develop a large portion of the site as a woodland park and to provide a hospice campus. I will not go into the details of a hospice facility because the Minister outlined it and Deputies referred to it.

I will deal with certain matters raised in the debate. Several speakers identified the importance of engaging the interest of young people in sport, and the importance of schools and local communities in that regard. It is important to note that almost €2 billion has been invested from 1998 to 2004 to provide modern facilities, including those for physical education in schools, with a further €3 billion due to be invested over the five years to 2010. In the period 2003-2005, under the Department of Education and Science's capital programme, 202 primary or post-primary schools projects have been funded which include the provision of general purpose rooms for physical activity or PE hall provision. Virtually all schools have at least one element of physical education facilities at post-primary level, whether PE halls, general-purpose rooms, outdoor hard play areas such as basketball and tennis courts and playing fields. Within the design brief for building projects at schools, improvements to the existing facilities are generally considered.

Responsibility for the provision of facilities at the schools rests with the Department of Education and Science but applications from schools

and colleges can be considered under the sports capital programme in circumstances where these facilities are made available to the wider community. The issue of encouraging schools to come together with local communities and sports clubs to develop sports facilities is being examined in the context of the sports facilities strategy of the Department. Clearly, sports facilities used during the day by schools and by the wider communities in the evening, represents the best value for money. This is not to say there are not issues which must be addressed around staffing, security, insurance and running costs. However, it is heartening to note that there already exists a close relationship between many schools and local sports clubs. The 2005 ESRI report on the participation of young people and children in sport reported that 79% of post-primary schools and 90% of primary schools acknowledged some degree of help with facilities provided by local sports clubs.

Two programmes are specifically operated by the Irish Sports Council which aim to encourage young people into sports participation. The sport for young people grant scheme is administered through the VECs to promote sporting opportunities for young people, especially for those in areas of social disadvantage. That grant scheme is open to VECs that do not have local sports partnerships in their areas. The Buntús programme is being rolled out to primary schools by the sports council through the local sports partnership network. The programme aims to support the primary PE curriculum by providing equipment, resource cards and training to teachers to enable teachers and coaches to introduce sport to children in a safe and fun way.

The Government recently undertook an initiative to encourage greater participation by women in sport. In the 2005 Estimates, the Government allocated €750,000 to the Irish Sports Council to promote this form of participation. Local sports partnerships were also given funding for locally-based projects aimed at specific target groups. The projects selected for funding were innovative and designed to bring girls and women into sport and are aimed at retaining and re-engaging female participants in a diverse range of sporting activities. The Government recognises the importance of this issue and has taken specific action by increasing the level of funding in 2006 to more than €2.25 million.

A number of Deputies referred to the valuable contribution the Community Games make to raise the level of participating in competitive sports. Others outlined the important role this organisation plays in our society. The Minister for Arts, Sport and Tourism and I agree fully with this sentiment. The Minister will continue to provide both financial and moral support to those staging the Community Games. Exchequer funding is provided through the sports council to recognise national governing bodies of sport that are involved with the National Community

Games structure. In 2006, the National Community Games received a grant from the sports council of €250,000, which represents the largest amount of grant-aid given to the National Community Games by the council so far. This is in recognition of the work done to streamline and modernise the organisation, including the reduction of members on its executive.

The National Community Games recently announced its new sponsorship arrangement with the Health Service Executive, which is to be welcomed as a very appropriate partnership. This increased funding will alleviate financial concerns for the future of the games and give added recognition to the work of its many dedicated volunteers. The issue of a suitable venue for the National Community Games to hold its national finals was raised during this debate. The Mosney holiday centre hosted the Games for many years. The Refugee Integration Agency, which now has a contract with Mosney Holding Limited for parts of the centre, has confirmed that the venue will continue to be available until at least 2009.

During the course of the debate on the Bill, Deputy Gregory was critical of the fact that the Government provided a high level of support for horse and greyhound racing. The Minister is anxious to point out to Deputy Gregory that two of the most successful sports in Ireland in recent days have been those of horse and greyhound racing. Government support for both industries is provided under the fund as approved by the Oireachtas. The fund receives a guaranteed level of finance based on the excise duty on off-course betting. This money, in so far as it is invested in capital projects, has led to undeniable benefits for both sectors and it has marked a revival of interest in both sports, to the benefit of the whole economy. It has not only helped towards providing some top class racing venues and facilities, but it has underpinned significant employment in both industries and the prize money. The prize money it has facilitated has been an important boost for both horse and greyhound breeding. The fund was extended by the Government in 2004 up to and including 2008, with the limit of the fund being increased to €550 million. I recall that there was support right across the House for this initiative at the time. A total of €70 million has been provided for the fund in 2006.

I would direct any doubters to the 2004 report on the economic value of the horseracing and bloodstock breeding industry compiled by Indecon International Economic Consultants. This confirmed that horseracing and thoroughbred breeding are significant net contributors to the economy. They have an important role in generating employment, particularly in the tourism and rural sectors. The report indicated that the thoroughbred breeding industry makes a gross contribution to the Irish economy of €330 million per annum and that it pays tax in the region of €37.5 million per annum. The report showed that Ireland is now the largest producer of thorough-

breeds in Europe, accounting for 42% of total output. It is the third largest producer world-wide, behind only the United States and Australia and the employment figures of 16,500 are shown to be generated from the racing, breeding and associated industries. This is an important niche that has been established and Deputies should be informed about it.

On the National Aquatic Centre to which a number of Deputies referred, the House will be aware that matters relating to the lease have been before the High Court recently. Dublin Waterworld Limited operates the centre under a 30-year lease from CSID, the landlords of the centre. CSID took legal proceedings against the company for forfeiture of the lease for failure to comply with obligations under that lease, which included failure to pay rent, failure to pay insurance, failure to provide audited accounts, to name just some of the breaches. Relief was sought against the forfeiture by the defendant. When the proceedings commenced, it emerged that the defendant had assigned its right to take the lease of the centre to a businessman, Mr. Pat Mulcair, even though such a transfer of ownership should only have taken place with the consent of the landlord. In his judgment on 21 March, Mr. Justice Gilligan in the High Court found in favour of the landlord on all counts. He found that the company had wilfully declined to honour its obligations pursuant to the lease. Accordingly, he declined to grant relief against forfeiture. Arising from this judgment, a court order for possession of the aquatic centre was made on 29 March, which would have had effect from 28 April. Plans were drawn up for the ongoing operation of the centre in the event that the operators removed themselves from it. However, on 13 April the defendants lodged a notice of appeal to the Supreme Court against the judgment and the order, as defendants are entitled to do. The matter came before the High Court on 25 April and the judge granted a stay of 14 days on the execution of the forfeiture order. The House will appreciate that for the present there are constraints in what can be said as the judicial process has not been completed.

I recommend that Deputy Burton read the full judgment of Justice Gilligan after which she will be in possession of the facts and perhaps will stop dealing in speculation and conjecture about the matter. The Deputy appears to have a vendetta against the National Aquatic Centre and never misses an opportunity to run with misinformation and spin put into the public arena by people with unfriendly intentions towards the centre. The centre is a tremendous facility, not alone for west Dublin but for our capital city and for those who commute into Dublin on the western side of what another member of the potential rainbow coalition described as an edge on the city. It is very much at the centre of our country and is a great facility.



[Mr. B. Lenihan.]

With regard to specific issues relating to the centre raised by Deputy Deenihan, although these issues have been dealt with in parliamentary questions on a number of occasions recently, the Minister believes it is appropriate to take the opportunity once more to clarify the situation for the House. It never ceases to surprise the Minister that misinformation will come back into the public arena again and again while the plain facts are conveniently overlooked because they do not make for dramatic headlines. The Minister therefore wants me to read into the record of this House the facts of what happened at the National Aquatic Centre.

We had the unfortunate event of damage to the roof caused by very severe weather conditions on 1 January 2005. I am one of the Members of the House who can give personal testimony to those severe weather conditions. The repair work on the centre was completed on 20 May 2005 under the supervision of consulting and structural engineers, Kavanagh Mansfield and Partners. All necessary repair works were fully carried out and the centre was reopened to the public on the day work was completed. When the work was completed, the consultants provided confirmation that all work was completed to a satisfactory standard. As has been said before in the House, the costs associated with the repair work are a matter between the construction company, its sub-contractors and their insurance companies.

During last year, there were media reports about alleged leaks, cracks and subsidence at the National Aquatic Centre. To get to the bottom of the matter, Campus Stadium Ireland arranged for the alleged defects to be examined. In July, a joint inspection by experts was completed at the National Aquatic Centre. The inspection was led by Rohcon, the NAC construction company accompanied by S&P Architects, URS Structural Engineers, and Euro Pools, specialist subcontractors. Technical representatives of Campus Stadium Ireland, Davis Langdon PKS, managers of the project, and Kavanagh Mansfield structural engineers, were also involved. The inspection team found there was no evidence of any structural defects or of any water leaking into the plant room despite what had been alleged in the media. Some leakage through pipe joints and valves was found, which was attributed to operational and not structural origins. It is very likely that this is a maintenance issue. A test was carried out which confirmed there were no leaks from the swimming pools. URS Structural Engineers confirmed that the concrete works were designed and constructed to meet the British standard 8007. They confirmed that any cracks that existed were usual and acceptable in a building that was still settling. They were not leaking, they were not of a structural nature and they were entirely normal for a building of this type.

It is disappointing that people will still run with the bad story despite tangible evidence to the

contrary. My colleague, the Minister, and I agree with what Deputy Deenihan says about the image of the National Aquatic Centre being tarnished and it is unfortunate that some people have sought to make political capital from that. Neither the Minister nor I am suggesting Deputy Deenihan is guilty of that and I know he is supportive in trying to protect the reputation of a facility that is world class and of great benefit to our elite swimmers and the local community.

Question put and agreed to.

**National Sports Campus Development  
Authority Bill 2006: Referral to Select  
Committee.**

**Minister of State at the Department of Health  
and Children (Mr. B. Lenihan):** I move:

That the Bill be referred to the Select Committee on Arts, Sport, Tourism, Community, Rural and Gaeltacht Affairs, in accordance with Standing Order 120(1) and paragraph 1(a)(i) of the Orders of Reference of that committee.

Question put and agreed to.

**Energy (Miscellaneous Provisions) Bill 2006:  
Second Stage (Resumed)**

Question again proposed: "That the Bill be now read a Second Time."

**Mr. Connolly:** When I last spoke on this Bill I spoke about heat loads. It is imperative that heat loads of buildings are reduced to the minimum possible as a very significant amount of final energy consumption is used for space heating and domestic hot water.

A number of years ago, most grant-aided houses were in the region of 1,200 sq. ft. Now, one can drive through the countryside and see that most houses are in the region of 3,000 sq. ft. While the 1,200 sq. ft. house had to cater for perhaps six, seven, eight or nine people, the big houses of 3,000 sq. ft. have perhaps an average occupancy of four people. This creates a major drain on energy, on the need for heating. It should be part of the planning that houses of this magnitude be zone heated.

When people get planning permission, they should be obliged to use natural resources such as solar panels or geothermal heating. We should now consider such conditions. The recent grant package in this area is very welcome but we should consider compulsory use of natural energy. Perhaps, too, when people sell their houses, there might be some imaginative scheme involving a reduction in VAT, for example, if solar panels were being installed. This would lead to a great reduction in demand for energy and would make matters a little simpler.



Pursuing a low carbon agenda for renewal and modernising of buildings, sourcing increasing proportions of our heating requirements from renewable heat options, offers the potential to replace substantial amounts of fossil fuels and electricity currently used for heating purposes. We must look at how we can reduce our dependency on fossil fuels.

In recent years and for the foreseeable future, wind power dominates the space created for renewables, but we need to look ahead to secure the vision of how we expect and ultimately would prefer renewable energy sourced electricity to develop. Wind and wave power are our big natural assets and one must look at harnessing them. I know some people do not like the appearance of wind turbines but we must consider such options. Wind power is an option, it is free and everlasting. As an island nation we have ample supply in that regard.

Solar panels are now available which are not entirely dependent on sun. Daylight is enough to drive such panels. Technology is developing in this area and we should encourage it at every opportunity, such as when someone seeks planning permission to build a new house or a group of new houses. We talk of different types of housing but when it comes to the energy needs of housing, county councils should lead by example and look at the use of geothermal heat and solar panel options. There should be an onus on private builders to consider such energy options. If house numbers continue to increase in the coming years, our problems will increase and we must address them.

Another major opportunity arises when people are moving house. Some incentive might be considered at that time. I hope that the sustainable energy grants scheme, which is imaginative, will continue and that much use will be made of it.

With regard to competitiveness, this aspect places a high priority on the cost of electricity to consumers and the relative burden of increases in electricity prices compared to other costs. National pay talks are under way and I understand that the energy regulator is looking at the option of reviewing, which usually means increasing, ESB charges on a two-monthly basis. If one gives the regulator that power to examine prices on such a time basis — when “examine” means “increase” — where does that leave our national pay talks if we are to tie ourselves into a three-year deal? Do people go back to their employers because their ESB bills have risen, seeking another pay increase? It will be very serious if this pattern is allowed to develop, whereby organisations can regularly appear before the regulator, seeking price increases.

Market-based mechanisms provide the most economically efficient means of achieving renewable energy policy objectives. Such mechanisms are those that enhance private sector interest through some form of economic incentive, as opposed to command and control instruments.

The way forward is to get the private sector involved in this area, to encourage it to link into the systems and become financially viable. Market-based mechanisms can be categorised in terms of how they address the market, providing an incentive based on output.

Securing the island of Ireland’s primary energy requirements almost exclusively from fossil fuels is becoming increasingly unsustainable. Finding new and sustainable sources of energy, learning how to integrate them into our lives and reducing our overall energy consumption are the most important challenges we face. Success in reducing our fossil fuel dependence and overall energy demand will lead to changes in the way we work and lead our lives. I have no doubt that many houses are heated for parts of the day when they are vacant. This is serious usage of energy, the benefits of which nobody enjoys. We all have a role to play in this context, particularly the business community, which must seize the challenges and opportunities presented. Sustainability in business is the only way forward, where everyone’s interests can be met, once the long-term strategy is focused on protecting the environment and on responsible corporate citizenship.

I hope some of my thoughts will be taken on board by the Minister, particularly with regard to the installation of solar panels on all new houses.

**Mr. Cassidy:** The proposal before the House today is an important one, which I welcome. I also welcome the Minister, who is here to listen to the views of backbenchers and rural Deputies in particular. The challenges today are completely different to those faced by Members of this House and the Seanad for many decades, since the foundation of our State. These challenges are connected to issues that are not within our control. They are serious challenges for the Minister, the Taoiseach and the Government, which, despite not being within their control, must be addressed to determine the alternatives. While the pill might be bitter in the short term, in the long term we cannot continue to have uncertainty in the marketplace.

We must acknowledge all those who have worked in the ESB and in the gas industry and express our gratitude for what they contributed to Ireland. Those Members who were born before the 1950s will remember the rural electrification scheme between 1954 and 1956 and the excitement at the new technology. In those years we celebrated electricity arriving in the rural areas. I come from the rural constituency of north Westmeath and pay tribute to all who worked in the ESB and made a contribution. I also pay tribute to those who worked so hard for many years in Bord na Móna. The Minister was born in Ballivor and I was born on the outskirts of Coolnagun. We both appreciate what Bord na Móna meant to our areas. We are aware of the employment it created for more than 300 people in each area. It gave meaningful employment to people when there

[Mr. Cassidy.]

was no other employment available, kept communities alive and clubs functioning, particularly those of the Gaelic Athletic Association.

I doubt that Ireland would be in the healthy position it is in today were it not for the foresight of the then Taoiseach, Eamon de Valera, and Todd Andrews, in creating Bord na Móna in 1946. However, it is past its time and we have moved on. The challenge before the Government today is to determine what we can do and express views that will assist the Minister in this great challenge of the 21st century.

I support private enterprise and believe in letting the experts get on with the job because they tend to it in less time and more efficiently. Nonetheless, the Government has a responsibility, with regard to energy resources, to ensure that the consumer is able to obtain energy at affordable prices and in a sustainable manner.

I commend the Minister for introducing this Bill, section 3 of which amends the Electricity Regulation Act 1999, by providing that it shall be a new function of the CER to participate in the development of an all-island energy market. The policy on such a market is encapsulated in the all-island energy market development framework document, published in November 2004 by the Minister and his Northern Ireland counterpart, Mr. Barry Gardiner, MP.

The alternatives mentioned by colleagues in this House, including wind power and solar energy, deserve the full consideration of everyone concerned. We must encourage a situation where consumers have alternatives available to them. I have seen wind turbines in action and support them. In that regard, I congratulate Westmeath County Council and the county planner in particular, who has identified in the action plan and county development plan, parts of the county that will be suitable for the generation of wind power.

The Minister for Community, Rural and Gaeltacht Affairs, Deputy Ó Cuív, said last week that an extended area of County Westmeath will be included in the CLÁR programme. I share part of the constituency of County Westmeath with the Minister, Deputy Noel Dempsey, and Deputies Brady and English. I draw the Minister's attention to the fact that more than half of his new area in County Westmeath is now in the CLÁR programme, which provides an opportunity for the Department of Community, Rural and Gaeltacht Affairs to play a major part in the area. The north Westmeath area will, for the first time, see unprecedented growth and development. This is particularly true of our towns and villages, where sewerage schemes have been allocated funding. My town of Castlepollard, where a new sewerage scheme was installed in 1990 under the then Minister, Mr. Pádraig Flynn, is ripe for development and the private sector is responding magnificently. We have a new second level college, which Deputy Noel Dempsey had the privilege of opening when he was Minister for Education and

Science. As former Minister for the Environment, Heritage and Local Government, Deputy Noel Dempsey also participated in the development of a new civic centre for Castlepollard, in the north Westmeath area.

It is only sustainable Government or local authority jobs that will keep areas like ours alive, where the population has been in decline for many years. Thankfully, that decline has stopped now. Emigration has ceased and the population of the area is growing. There are very many grandparents in the area who, for the first time, are watching their grandchildren grow up nearby. In the past, they received letters from the United States, Australia and the United Kingdom, with photographs of their grandchildren, whom they only saw when they came back to Ireland on holidays. Some only saw their grandchildren when they had become adults. That is no longer the case. We have seen a transformation as opportunities are now available to people in places where they never were before, such as Westmeath, especially in the north of the county. The people of our neighbouring county of Longford had to endure the same experience we had to in Westmeath.

Turbines provide one possibility for wind energy. However, the Minister should convince the Government, the Minister for Finance in particular, to consider capital allowances in the next budget for entrepreneurs and innovators to examine technology and alternatives to the turbine system. I understand one such project is at a very advanced stage. However, the entrepreneur developing it has spent a fortune of his own resources with no recognition or acknowledgement. Such technologies could be made available to the country, our neighbouring countries in Europe and the world. Irish entrepreneurs and innovators are better per head of population than anywhere else in the world. Incentives should be introduced for the challenge facing us on future energy demands.

Solar energy was mentioned. We build 80,000 to 85,000 houses per year in Ireland, a magnificent achievement which we should celebrate. However, as was stated by previous speakers, we certainly should direct, assist and encourage our people by giving them incentives to go the extra mile and use alternative energy supplies in their homes. The industry would respond magnificently if it were given the opportunity and incentive to do so. A few extra thousand euro to encourage people to do this would be money well spent in the long term. Motor transportation has increased by more than 2,000 units in Ireland during the past number of years. This is another sign of our prosperity, achievement and success. We should also examine incentives and acknowledge responses in this area.

It is a good time in our country's history. I have never seen such buoyancy in the economy. Friends often ask about the good old days. Recently, at our local mission, someone much

more senior than me stated that the good old days are here. He has never seen anything like the present opportunities and buoyant economy.

We joined Europe and reduced the dreaded high interest rates. Most of us worked all our lives to pay the banks' high interest rates in the hope that down the road our businesses would come good and we would be able to keep the family and employees in jobs. To the eternal credit of this Government and all Governments of the past 20 years, reducing the interest rates to today's level gives everyone a tremendous opportunity. The economy has the buoyancy to face the energy challenge and consumers will respond if we provide them with incentives and available expert guidance.

We are here as conduits for our people to encourage the Minister, the Government and the Departments to go the extra mile as they could not do so at a better time. The consumer is willing and able to respond. I welcome the Bill and look forward to its safe passage through the House. I thank the Leas-Cheann Comhairle for the opportunity to address the House on this issue.

**Mr. Boyle:** Whenever I see the words "miscellaneous provisions" in a Bill, I become very wary because it tells me gaps must be plugged, holes must be filled and the collective backs of the promoting Department and the Minister concerned must be covered. When I see those words in an energy Bill, it tells me that such a Bill is needed because of the absence to date of an energy policy in this country.

The Minister might state his intention is to introduce a Green Paper as soon as possible and to fast-track this process. However, to be so delayed in discussing the ideas to formulate and implement a much necessary energy policy shows how far behind we are and how far we need to go to address this most pressing of political problems. It is no accident that at this part of the electoral cycle and where we stand in terms of formulating policy to develop as a nation, especially economic development, the issue of energy has come centre stage. When the general election is held in the next year or so, it will be on the minds of many voters.

Much of our recent economic prosperity was bought on the back of a cheap fuel policy. In terms of short-term achievement, the Government might clap itself on the back. However, in historical terms it may end up being a very reckless use of policy. Every day, we learn of a further increase in the cost of oil and other fossil fuels. A cheap energy policy will no longer exist. It can no longer be the foundation of how we plan our society and economy for the future.

Despite what Deputy Cassidy described as achievements of this Government and our economy, we have become more reliant on the use of imported fossil fuels. We spend more time in our motor vehicles than people of any other country in Europe or the world. We are even beyond the

prolific United States which seems to be the model of the cheap energy policy and economic development we have pursued for the past 15 years.

Now is the time, as the Minister has begun to realise by promoting the idea of a Green Paper, that things must change. Unfortunately, if the Minister, his colleagues and the political system listened to what my party stated 15 years ago, we would be 15 years further down that road. However this is not the time to be churlish. Some of what is being done must be recognised. Unfortunately, the Minister has not grasped that what needs to be done must be done in a much more bold, innovative and integrated way.

During the Private Members' debate this week, the Minister found himself under fire about a particular aspect of energy policy. The Minister also found accusations about his previous portfolios in the political arguments that were made against him, some of which were unfair. The Minister at least shows a capacity in Government to think out loud. He might not always show the capacity to think things through and some spectacular mistakes may have been made on his watch. However, we should not curtail the willingness to be innovative in politics. If it did not exist, change could never happen. While others in politics might succeed more on a personal level by keeping their heads down and their mouths shut, I do not believe the country benefits from such a selfish approach.

With that spirit in mind, my party is prepared to push the Minister in the right direction. He recently made a statement on renewable energy targets. I presume the fact it happened during the weekend of the Green Party convention was coincidental. I will take it as a vote of confidence.

**Mr. N. Dempsey:** We wanted to give the Green Party something to talk about.

**Mr. Boyle:** We have plenty to talk about. The Minister is never far from our minds.

My party spokesperson at the time welcomed the idea that the Minister put forward proposals. It is still short of the proposals and targets we think can and should be met. Given the opportunity in Government, we would push harder to see those targets met. We are starting from far behind other countries which have at least had the courage to address these issues many years before us.

A similar acknowledgement, or criticism, could be made of the Minister's proposals on renewable energy grants. The criticism here is that grants could have been larger or that there could have been a different distribution of the percentage available from the grant to the house owner. More elements could have been available with regard to renewable projects, and there could have been a more integrated approach in linking insulation of houses to the grant scheme. Nonetheless, we are going down the right road now,



[Mr. Boyle.]

although not far enough and a bit late. The Government must do better.

What is disappointing is that part of this process is brought about by necessity and some of it is caused by European Union directives that we must live up to. Another Bill before this House is the Building Control Bill 2005, which will at last introduce the idea of heat and energy efficiency standards for new houses built as and when the new Bill is passed by this House. That is welcome in itself and it is part of our obligation to the European Union directive.

The effects of the Celtic tiger have not been taken into account. Taking 1995 as a starting point, some 30% of the housing stock has been built in a ten-year period. That means almost a third of all housing has been built with substandard or zero energy and heat efficiency standards. What the Minister proposes through his grant scheme will only partially address the issue. What the Government is proposing through the legislation with the Building Control Bill will only deal with buildings built after the Bill is passed.

What are we to do with our historical housing stock, much of which has been built in the Celtic tiger period, and much of which has been responsible for our added reliance on fossil fuels? Much of it is responsible for exorbitant and rising fuel bills for households in this State. That is the biggest failure arising from the lack of a Government energy policy.

This Bill has been approached in a disintegrated way, which makes the Government's lack of policy all the more disappointing. The question of energy policy must be dealt with in an integrated way. Factors include the sources we use to produce energy, the distribution of energy and the use of energy itself. Much of the common misconception regarding energy policy here is that it relates solely to electricity which is only a small element of the energy used. A growing proportion of energy has been eaten up by the type of transport policies we have followed. Much of this has to do with the transport imposed by the planning policies put in place.

For the Minister to talk about introducing a Green Paper this late in the day, preceded by this "John the Baptist" bits and pieces Bill, is an admission by the Government that it has failed to provide a co-ordinated and cohesive approach, with joined up thinking in Government, to get things right. We have created so many of these problems unnecessarily. As a result, I do not believe this to be a Government that can live up to its promises.

On the weekend the Minister introduced his promises about renewable energy targets, he mentioned figures and times that should be feasible. The Green Party believes that higher targets are feasible within the same time span. However, the track record of this and previous Governments in all the alternative energy requirement programmes shows that none of the six prog-

rammes to date achieved their target in the time provided. Given that type of track record, what confidence can we have on this side of the House, not to mind those outside the Chamber who depend on having a coherent energy policy, in anything the Government or this Minister has to say on targets?

Deputy Connolly said we need bold practical measures from the Government to show how we can bring about better energy usage. One of the successes of the Green Party in Germany, in its first term of Government, was the implementation of a programme where the Government fully paid for the introduction of a solar panel in every household. This was done in 1 million households in the course of the four-year term of Government. In Irish terms, that would equate to the Government providing 100,000 households with solar energy.

Solar energy may not be the most feasible in terms of how houses are located. There is a problem in where we build houses, which way they are pointed and how they are affected by sun, wind and rain. All these factors have energy implications. If the solar option is not feasible, we have other sources in Ireland. Geothermal heating, using underground water sources, is available to a large swathe of the country. It is not enough to just have a grant scheme in place. My party believes the Government should go further and directly install much of this technology in each household unit so that we can begin to make a mark on energy conservation and with regard to the international agreements we have entered into relating to carbon emissions.

The Minister also had what could be termed a misfortune in being the Minister for the Environment, Heritage and Local Government, having to steer Government policy with Kyoto Protocol commitments in mind, along with the prospect of having a national energy policy. The Government's performance, or lack of performance, in meeting Kyoto targets means we are rightly cynical about anything the Minister said in recent weeks about what targets can be reached and when.

This is outside a European Union commitment which indicated the EU as a whole would reduce its carbon emission levels to 1990 levels by the time the Kyoto Agreement is put in place. Ireland, in the same time period, was given the leeway of an increase of 13% of carbon emissions. We have since managed to double that increase, even before the period has finished.

The Minister and his counterparts in Government spoke confidently of the 13% figure being reached, or at least going towards it in the interim. I do not share that confidence. The effect of failing to meet that target is a bill the Irish taxpayer will have to pay of the equivalent of €1 billion. If the Government had put in place the appropriate policy measures at the time we were given the 13% level with the Kyoto Agreement, the €1 billion could have been used much more



effectively in directly assisting householders in energy efficiency measures.

This Bill does not even come close to dealing with the wider area of energy use, particularly with regard to transport. I have already mentioned that car usage here is the highest in the world. We spend more time than other people in our cars. Deputy Cassidy seems to think it is a productive use of people's time to spend so much time in cars, particularly if stuck in traffic jams. That is a result of the Government's policies. All that time lingering in traffic uses fuel imported into the country from sources that are fast diminishing, and this means this type of transport planning and policy, as bankrupt as it is, will not even exist as an option within the next 15 to 20 years.

What are the Government's alternatives? The Taoiseach stands before us on the Order of Business most days speaking of what public transport spending is likely to be under the much vaunted Transport 21 initiative. Many of the costings for Transport 21 do not make sense, are not spelt out and are as vague as the Government's energy policy, if such a policy exists. The public transport initiatives that have been put on the table focus on getting into, out of and around Dublin. Those of us who live outside the greater Dublin metropolitan area, especially those who have the misfortune of living on the west coast of Ireland, will not have the same degree of choice. In most cases, we will not even have the option of a viable public transport system. Until such options are made available so that people can choose not to spend so much time in cars as the only means of getting from one place to another, the targets the Government aspires to can never be achieved. The reality is very different from the theory, as it is with many aspects of Government policy.

I will talk about the sources for the production of energy. There has been a partial debate on the future of nuclear energy and its potential in this country. My colleague and party leader, Deputy Sargent, managed to persuade a former Minister for Public Enterprise to accept an amendment inserting a clause in legislation prohibiting, at least in the short term, nuclear power as an option. I question whether that is strong enough, however, because legislation can be and is changed on a regular basis. If the political will existed to proceed in a different direction, and there was a Government majority in support of it, I fear the current Government parties would be capable of bringing about such a change. The person who proposed this at Government level was common to both parties in the current coalition, namely, the founder of the Progressive Democrats and former Fianna Fáil Minister for energy, Mr. Des O'Malley. He referred to those who made the case against nuclear power at that time, pre-Chernobyl, as members of the flat earth society. Those arguments are as valid now as they were then.

Dr. Edward Walsh of the University of Limerick discounts the chances of the Government introducing nuclear power but the potential exists, despite the Taoiseach's emphatic denial during Taoiseach's Question Time some days ago. The Taoiseach made a speech that same week to an international gathering of engineers in Dublin and from the tone of his argument it did not seem that he was opposed to nuclear power but rather felt it was not politically feasible. It was not an argument he could sell but if the engineers could help him put together such an argument he might countenance it in the future. That is where the Government seems to stand on the future of nuclear energy.

The economics of nuclear energy are a nonsense. It would cost a fortune in public funds to set up and would be a huge white elephant, even before the environmental costs are taken into account. That would not deter a Government which, in its nine years in power, has produced a whole herd of white elephants in terms of public expenditure.

If the Government had the opportunity to acquire a badge of pride by adopting nuclear energy, it is possible it would do so. I would like the Government to be more emphatic about the nuclear option. I would like to see it admit to its double standards in taking electricity from countries which use nuclear power. To what extent can we guarantee to Irish people that the electricity they use is not from nuclear sources? I would like the Minister to say where the Government stands on the issue, not just now but in the future, because there is no confidence that the Government will not go down that road.

**Mr. N. Dempsey:** I am pleased the Deputy assumes we will be in power long into the future and I thank him for that.

**Mr. Boyle:** Listening to the utterings of some of the Minister's colleagues, the Government's long-term plan is to stay in government with whom-ever they can and by whatever means.

**Mr. N. Dempsey:** Even the Green Party.

**Mr. Boyle:** Even the Green Party. If Fianna Fáil wants Government in perpetuity it should start listening to what we are saying. We will not participate in government unless the policies I and my colleagues articulate are followed, not as aspirations but as clear achievable goals.

**Mr. N. Dempsey:** The Deputy should keep talking about them — we will deliver them.

**Mr. Boyle:** We live and learn.

**Mr. McEntee:** I am pleased this issue is to be discussed. I have no doubt the initiative arose from a meeting the Minister and I attended a week or two ago. A number of classes were

[Mr. McEntee.]

offered by the Leader programme and the biggest attendance was at one of the classes for alternative energy.

Energy policy will affect us all so rather than argue the points I will raise matters for discussion. The price of oil will continue to soar, whether we like it, because no new wells are being opened, in America or anywhere else. Ireland is an island with many indigenous energy sources and it would be a mistake to depend on another country for our energy, given that transport has become so expensive. We should, then, consider the various alternative energy sources of our own. We have farmland, wind and rain and I hope they will become the sources of our future energy. We will always be guaranteed wind, and wind farms are dotted around different parts of the country. People say they are ugly but they are an attraction for visitors. If they are located in the right places they could generate a system to provide us with energy and help reduce our dependency on oil. I propose dividing the country into smaller areas for that purpose.

Farming has become a difficult business and many farms are non-viable. One by one people are leaving farms, whether because of the cost or other reasons. The price paid to a farmer for milk in 1999 was £1.08. Today it sells for the equivalent of 89.5 pence, yet the price to the consumer has gone up by 300%. I do not know what has gone wrong in agriculture but if a farmer holds on to land it can be used for alternative crops to be used in the industry. One of the speakers at the meeting in Kells said it was cheaper for a person to burn corn or barley at €60 per tonne than to buy oil. I do not agree with that practice and it is terrible that food is burned to provide energy, but that was the bottom line. Barley grown under a grant system was burned for energy.

Farming is on the back foot but the land is still there. Our land is one of the biggest assets we have and we have underused it in the past ten or 15 years because of an EU policy from which we benefited in the beginning. Now the slatted units and milking parlours built with EU grants are idle so I do not have much faith in grants, including for alternative energy. The system must stand on its own. We do not have to buy wind or water because it will continue to rain and we will always have plenty of water, despite the warnings about droughts. When the Bill is passed, I hope heads will be put together. If nothing is done about this issue, regardless of which party is in Government, inflation will rocket and all our economic endeavours will go to waste. The construction industry is the mainstay of the economy and long may it continue to be. However, if the price of oil continues to rise, the building industry will come to a stop, which our economy cannot afford. It has taken Ireland long to reach this point in its economic development. We want it to be the best

economy in the world. I hope there are least another 25 years in the building industry so that the same standards enjoyed by other countries are attained. Then Ireland can surpass them and proper health and roads services will be provided. A proper roads system is required if an alternative energy system is to be built up.

The provision of alternative energy must be seriously examined sooner rather than later. I am delighted the process has begun in some ways. From the meeting at Kells, which the Minister also attended, I was struck by the number of people that attended alternative energy courses. They are willing to follow the example of Sweden and other countries in providing alternative energy sources. Growing trees as an alternative energy source has its advantages. With grants and subsidies land does not have to be given over to production. We must consider replanting much of our land for alternative energy sources. Although one will not see such trees growing to their full extent, in 30 or 40 years they will become part of an energy system.

Incineration is an easy way of providing alternative energy but it is one we should not choose. I am against it because, although living in east Meath, I have had experience of mismanagement of these industries. I do not agree with producing energy from incineration. Although the issue has gone down the road of no return, the Fine Gael Party will come up with an alternative to incineration as an energy provider.

A fortune has been spent on educating young people in recycling. Despite this, on every road where the ditches are being cut for the spring, one sees discarded bags of rubbish. People seem to be abandoning the idea of recycling because of the opting for incineration in waste management. It is a despicable scene when one travels the roads of counties Meath and Louth to see people throwing bags of rubbish into ditches. The educational endeavours given to recycling will be abandoned as people believe all waste will simply be thrown into a furnace.

When the Minister takes on a matter he always sees it to the end. I hope he will reconsider the idea of incineration as a waste management process and alternative energy source. Ireland does not have the heart for it. The expertise is not available to us to ensure it will be done right. I am against the idea of a foreign company coming into our country and running an incinerator. They should go back to their own countries and let the Irish look after their own waste management. In other countries there are shortages in securing waste for energy production. Allowing them to buy our waste should be considered. I hope in the next six months an alternative to incineration will be put to the people.

The effects of nuclear energy have been shown recently in television programmes on the aftermath of Chernobyl. No one will want to see that

happen in Ireland, especially when the United Kingdom is vulnerable. Ireland may not be noted for its sunshine. Although a solar energy system can cost up to €5,500 to be installed in a home, the systems can be very good for heating. The proper insulation of homes cuts down dramatically on the use of oil. From the experience of friends I know the heating only has to be put on for an hour in the evening and it will last through the night. Better insulation must be promoted through grants.

Ireland has available land, strong wind currents and good rainfalls to promote alternative energy production. Going outside these is not feasible. A grant system is not particularly fair when one is already paying it through one's taxes. Enough new taxes have been introduced in the past five years. There will be a tax for using the toilet next. If the Minister is serious on this, we must consider our resources. A continued oil supply will soon become a problem. The sooner alternative energy is brought forward, the better because it will ensure inflation does not rise any further. Mortgages are already expensive. The one thing that will drive them up is the price of oil. If Ireland could provide 30% of its own energy supplies, inflation would be held to the minimum.

Farmers have been driven off the land by wrong Government and EU policies. The Government's lack of interest in farming is shown by allowing seven farmers a week walk off the land. Dairy farmers recently took a reduction of six cent a gallon for milk. The price to the consumer has increased by 300%, yet dairy farmers have taken a 15p — in old currency — reduction in price in the past 18 years. Farmers cannot survive any longer. Although a grant payment of 9 cent a gallon for milk will be introduced, many farmers have indicated to me they will get out of farming. An alternative for farming must be introduced. I know one farmer who was burning his wheat, a food source, to provide energy. When the Minister takes on an issue, he sees it to the end. Although Fine Gael will be going loggerheads to take four out of the six seats in Meath at the next election, as a fellow Meath man I have no problem sitting down with the Minister to address this important issue.

**Mr. Ferris:** It is appropriate the Bill is being debated on the same day as a debate took place on how our oil and gas reserves are under the control of foreign multinationals. The Government is using two inadequate reports on the safety of the Corrib oil pipeline to justify the project and proceeding against the wishes of most people in the area.

Alternative energy supplies became the focus of debate following the publication of the Forfás report on the future availability of oil supplies. The report suggested the possibility of nuclear energy fulfilling Ireland's energy demand. That

has been overwhelmingly rejected by the entire spectrum of opinion. I am glad that members of the Government are at one on this issue. There is all-party support in opposing the use of nuclear energy as an alternative energy source. That is hardly surprising given the ongoing concerns regarding the Sellafield nuclear reprocessing plant. The eastern seaboard is sitting on a time-bomb regarding the plant. Forfás also referred to replacing some of our dependence on fossil fuels through the use of alternative sources, most notably wind and wave power, and biofuels. Wave power is the least debated of these sources. We are an island with access to Atlantic currents, a possible alternative source. The currents on the west coast could generate enough electricity to surpass even what is being produced by wind power now. This source has not been investigated properly. The opportunity exists to harness this resource and it should be taken up.

Wind power has enormous potential. One report suggests that the current proportion of electricity supplied from this source could be increased to 20% of demand with no increase in costs to the consumer. The landscape of this country and the winds it generates offer great potential for the development of wind energy. We do not utilise it properly and for those in rural areas where land lies idle, better use of this resource would be welcome. Objectors who oppose and prevent small and medium size farmers from using their land to increase wind farming are preventing the exploitation of a major renewable energy source.

There was an argument in west Limerick and north Kerry about the dangers to the hen harrier to prevent the development of wind farms in that area. The hen harrier could be resettled in another area easily according to wildlife experts. The process has been held up even though land that has no agricultural value is available along the entire west coast. Deputy McEntee mentioned that seven farmers leave the land every week and I have heard figures as high as ten per week. If this facility were in place, land could be used to contribute to our energy needs while maintaining the way of life in rural areas.

The installation of turbines would require an increase in the amount of land involved but this is estimated to be 0.5% at most. Given the number of suitable sites that are not in agricultural use, that should not present a problem. This is a small investment for a potentially huge return.

A number of wind projects are in operation but concern has been voiced over the awarding of contracts. I am not making accusations but allegations have been levelled that one company is being favoured because of political connections. This suspicion must be dispelled.

It is vital that the sector is properly regulated and that the State takes a proactive role in



[Mr. Ferris.]

research and development and, in practical terms, through the ESB, establishes wind farms. It will be argued on an ideological basis that the State should have no role in such an area but that argument overlooks the reason utilities were developed under public control in the first instance. Private enterprise is uninterested, incapable or solely concerned with increasing profits. It only becomes involved in projects which offer substantial financial benefit. We are talking, however, about energy, something that affects us all and that should not be about profit; it should be about securing the resources at an affordable price for those who use it.

The same argument can be made for biofuels. This State has enormous potential for the production of energy crops, especially under the single farm payment. The relevant Departments increasingly recognise this through the various grant schemes available. There was a presentation on this in the Oireachtas Joint Committee on Agriculture and Food yesterday. With the closure of the beet processing factories in Mallow and Carlow, a huge vacuum exists for the 3,800 beet growers who now have no income. I am glad to see beet is now being considered as an ingredient for biofuel production. Beet growers could continue to grow the crop provided there is a plant that can process it for biofuels. It is of concern that there is no obligation on Greencore, in spite of the closure of both factories, to make them available if it does not want to. I argue that there is an obligation on the Government and the Minister for Agriculture and Food to ensure that what was created by the labour of small farmers before it was sold off to the private sector should continue to be available for biofuel production.

Not only should we be able to meet the EU targets for the proportion of vehicle biofuel supplies, we could pave the way for a more ambitious sector that would benefit farmers and those involved in processing. Unless steps are taken to encourage a strong Irish processing sector, in the future we will be as dependent on biofuel imports as we now are on fossil fuel imports.

I urge the Minister as part of a review of the energy sector to encourage indigenous, renewable energy sources and to reconsider the current terms and conditions governing the control of our island's gas reserves.

**Mr. Kehoe:** This is an important Bill that deals with a subject that has been widely discussed in recent years. We must now take action. Young people wish to see clean energy that does not damage the environment and we have the opportunity to put a policy in place that will achieve that for thousands of years to come.

We all know how reliant we are on oil and we have seen its price go through the roof in recent months. From getting up in the morning until

going to bed, we depend on a reliable supply of electricity. Deputy Durkan said it is only when the lights go out that we know we are in serious trouble. If the lights go out we will be in serious trouble. Many people have contacted me, as a public representative, in recent years and especially in the past two years.

Debate adjourned.

## Ceisteanna — Questions.

### Priority Questions.

#### Nuclear Plants.

1. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government his Department's position on the transportation of MOX fuel; if contacts have been made on this matter; and if he will make a statement on the matter. [16826/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Shipments of radioactive material, including MOX fuel, are subject to international maritime regulations including the right of "innocent passage" and to strict international safety standards applicable to the marine transport of such material.

The continuing concerns of the Irish Government in relation to all transports of radioactive material through the Irish Sea are regularly and repeatedly conveyed to the UK Government at ministerial and official level. Ireland also cooperates on this issue with like minded coastal states at international fora such as the International Atomic Energy Agency. The concerns we have relate to safety, security and environmental risk from an accident or incident.

Arising from our efforts over the years, information is made available to Ireland on a voluntary and confidential basis by the Governments of shipping states, principally, Japan, France and the United Kingdom, on shipments of radioactive material including MOX fuel. This information is also transmitted for operational reasons to relevant Government authorities such as the Irish Coast Guard service. The Irish Government in response makes clear that such shipments are unwelcome, and seeks and obtains assurances from shipping states that such shipments will not enter Irish territorial waters.

Ireland has been receiving such communications concerning shipments of radioactive material for more than ten years. Given the voluntary and confidential basis on which the information is provided, it has not been the practice to issue press statements on receipt of such notifications. Press queries which may arise are dealt with on a case by case basis. These arrangements



are consistent with the long-standing principle of confidentiality in regard to inter-Government communications. That principle is also enshrined in the Freedom of Information Act.

Additionally, in so far as shipments are related to the MOX plant, which is the subject of the dispute between the United Kingdom and Ireland under the United Nations Convention on the Law of the Sea, UNCLOS, the issue has been the subject of legal correspondence between Ireland and the UK. The MOX plant at Sellafield utilises plutonium, separated during reprocessing of spent fuel for foreign customers at Sellafield, and returns it to those customers in the form of MOX fuel. The Government instituted international legal proceedings against the Government of the United Kingdom under the United Nations Convention on the Law of the Sea on the commissioning of the MOX plant. These proceedings remain suspended, pending the resolution of issues of Community law between the European Commission and Ireland on the MOX plant case. These issues are being litigated before the European Court of Justice and a final ruling in the case is expected later this month.

**Mr. O'Dowd:** The Minister has been lulled into a state of soporific complacency on the transport of radioactive fuel up and down the Irish Sea. It passes his constituency and mine and it also passes the city of Dublin where more than 1 million live. When the first shipment of MOX fuel came through the Irish Sea from Japan many Ministers spoke out and protested here, there and everywhere. The Minister called out the Irish Coast Guard service and the Irish Air Corps, and there was great public debate. Everybody agreed with those actions and supported those views. However, in June 2005, when the second shipment of MOX was being transported through the Irish Sea the Minister was told about it but did absolutely nothing. He was silent on this issue, which is shameful, compared to the activity and concern expressed so publicly and so clearly by the Government.

The issue is why did the Minister remain silent? There is no regulation binding the Minister to a law of omerta when cargo, specifically cargo which could be used by terrorists to make a nuclear bomb or in the event of an accident at sea could cause serious pollution for many years in the Irish Sea, is being transported. The Minister remained silent and useless. It is worthless that the Minister kept quiet and said nothing when this was going on.

**Mr. Roche:** If the Deputy wishes to check what I said or check the record, he will find that issues relating to intergovernmental materials, such as the references made here, are not the subject of press statements. He is correct in saying there was a specific incident some time ago which attracted

attention but that has not been the case during the past ten years.

**Mr. O'Dowd:** It was two years ago.

**Mr. Roche:** If the Deputy wishes to check the record over the ten years during which we have had the notifications — I understand he does not want to check it, but wishes to characterise this in his usual dramatic way — he will see that the appropriate procedures have been adopted and will continue to be adopted. During the past ten years there have not been press statements in the majority of cases. Any issue of press commentary has been dealt with in the majority of cases on a case by case basis. I do not know whether the Deputy lives in the real world, but intergovernmental communications are not normally the subject of press statements or the type of bruhaha he has suggested should be the norm.

**Mr. O'Dowd:** When the last MOX fuel shipment travelled around the world, maps were published in all the newspapers of the world outlining where it was going. We are dealing with MOX fuel, a specially refined fuel, which was not available ten years ago. I put it to the Minister that the ship in which the Minister allowed it to be carried, the *Atlantic Osprey*, is totally unsuitable for the purposes for which it is used. It has a single hull, only one engine, no naval armaments on board and is totally unsuitable. It is a 20 year old ship that in March 2002 had a fire in its engine, after British Nuclear Fuels Limited purchased it. It is inappropriate that the Minister does not protest about it, but remains silent, because it is a matter of grave and serious concern. It is not good enough for the Minister to hide behind ten years of silence.

MOX fuel is new fuel. This is only the second time it has been used and the Minister has not done anything about it, which shows his lack of action and concern. His silence on the shipment of such dangerous material in a totally unsuitable ship is unacceptable from a Minister. The ship is 20 years old — it was 15 years old before British Nuclear Fuels Limited bought it — and it is not suitable. When the Minister and the other Ministers protested, the Irish Air Corps flew and the other craft was on the water, the ship complained about was much more secure. It was double-hulled, had a naval escort and used the best available technology. The Minister is allowing ships which are unfit to carry this material up and down our coast and, quite honestly, he could not care less about it.

#### **Local Authority Housing.**

2. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the number of dwellings delivered to date under Part V of the Planning and Development Act

[Mr. Gilmore.]

2000; the number of such units which were for social housing and for affordable housing; the number of private house completions since the commencement date of the Planning and Development Act 2000; and if he will make a statement on the matter. [16671/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** Part V is being actively operated in all local authority areas and provision of homes for first time buyers and young families under it is gathering momentum. Up to the end of 2005, 701 social and 1,470 affordable housing units were delivered to local authorities. Output last year was more than double that in 2004. In addition to the number of housing units, 38 land transfers to local authorities have been completed to the end of 2005 involving some 20 hectares; a further 213 partially or fully serviced sites have been transferred to local authorities and voluntary housing bodies; and over €24.5 million has been received in lieu of land. This output reflects the use of the various flexible options now available to satisfy Part V obligations.

Further evidence of increased activity is that at the end of 2005, some 2,500 units were under construction and a further 3,500 were proposed under agreements reached with developers. It is envisaged that over 8,000 social and affordable units will be delivered under Part V in the next three years.

I have no doubt that Part V will play an increasing role in the delivery of social and affordable housing in the future. However, it is not intended that Part V should be the only mechanism for the provision of social and affordable housing. The main local authority housing construction programme, together with the voluntary and co-operative construction programme and the various affordable programmes, continue to be the major contributors to the national social rented and affordable housing stock.

The delivery of units, new homes, is my Departments preferred option when reaching agreement with developers and I have and will continue to stress to all local authorities to pursue vigorously this option in their Part V negotiations.

**Mr. Gilmore:** I thank the Minister of State for his reply. I understand that up to the end of 2005, just over 2,000 units of accommodation were delivered under Part V of the Planning and Development Act and that he expects another 8,000 over the next three years. This is a far cry from the predictions made by the Minister for Communications, Marine and Natural Resources, Deputy Noel Dempsey, when he introduced the Bill in this House. He told us that Part V would produce an additional 35,000 local authority

units, help to increase the output of voluntary housing to 4,000 a year and produce 2,000 units per year under the existing local authority affordable and shared ownership schemes. On top of that, we would have the affordable houses expected under Part V.

The output of 2,000 units since the commencement of the Act in 2000 until end-2005 is a far cry from the numbers predicted by the Minister, Deputy Dempsey, 35,000 plus 4,000 per year, which would be another 20,000 units, giving us a total of 55,000 plus the output of the existing schemes. The Minister of State criticised me previously for saying that Part V should have produced 30,000 units, but Deputy Dempsey thought it would produce between 50,000 and 60,000 units. The figure of 2,000 is a poor result against the predictions made.

**Mr. N. Ahern:** Deputy Gilmore cites the figure 35,000, but I am not sure what period was covered by that figure. Was it over a ten-year or five-year period? If we take last year's output, overall housing output for the year was 81,000. Using rough figures that would apply any year, of that number approximately 20,000 would be one-off houses, 7,000 or 8,000 would be social, affordable or voluntary houses and approximately 40,000 were exempted because they were part of developments of fewer than four houses, built on unzoned land or built as part of planning permissions that were obtained and, perhaps, stockpiled before the introduction of Part V.

In time the stockpiles of old planning permissions will die out, probably over the next 18 months to two years, and we will have a better hold on the situation. Once-off housing and developments of fewer than four units will always exist. The output depends on what is built in the overall market, but in time output will improve. I agree it has been slow to develop, but this happens. There are no housing measures which will provide instant action. As the old planning permissions wither and die out, the output from Part V will increase significantly and have an input on social and affordable housing.

**Mr. Gilmore:** The Minister of State says it will all happen in time. How much more time does he need to provide for the housing needs of people who cannot afford to buy their own home or those who need social housing? He has had nine years to do it, including six since the Planning and Development Act was passed, but has only produced 2,000 under Part V. He says this is because old planning permissions were stockpiled. The permissions were stockpiled because when they were due to expire at the end of 2000 and he changed the law in such a way that Part V could not apply to them. He handed back approximately 80,000 sites to which Part V would have

applied and that is the reason the policy is not working. It is not working because he scuttled it.

The Minister of State has ended up with just over 2,000 units when he should have somewhere between my modest estimate of 30,000 units and the 50,000 to 60,000 estimate of the Minister, Deputy Noel Dempsey, who is given to some exaggeration.

**Mr. N. Ahern:** Is that over a ten-year period or what?

**Mr. Gilmore:** How much time does the Minister of State want? He has had more than nine years to do it, but he has doubled the number of people on council waiting lists in that time. House prices are three or four times what they were when the Government came into office and working families on two incomes cannot afford to buy houses they could have bought on one income then. How much time does the Minister of State need to solve the housing needs of the people? How much time does the Government deserve from people on council waiting lists, who cannot afford to buy their own home or who are driven further out into the commuter belt? How long will it be before Part V delivers what the Minister, Deputy Noel Dempsey, predicted it would deliver?

**Mr. N. Ahern:** There is no point in talking about nine years when the Act has not been passed for half of that time. We need time for planning permissions to run out, normally five years.

**Mr. Gilmore:** They ran out at the end of 2002 and the Minister of State handed them back.

**Mr. N. Ahern:** Any of the new houses for sale and on view on a Saturday or Sunday or in the property pages of the newspapers are houses that got planning permission before the Act was passed. We changed the law at the end of 2002 to encourage supply.

**Mr. Gilmore:** Supply for whom? It was not for those who cannot afford to buy.

**Mr. N. Ahern:** It was to supply housing for all the extra people working and earning a living in this economy who have the money to buy.

**Mr. Gilmore:** They cannot afford to buy a home of their own.

**Mr. N. Ahern:** They are buying homes. Who does the Deputy think bought the 81,000 units built last year? It was mainly first-time buyers.

### House Prices.

3. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government

the actions he is taking to curb house price increases and to address the fact that increasing numbers of first-time buyers, in particular, continue to fall below the housing affordability threshold. [16670/06]

**Mr. N. Ahern:** House price increases have been driven primarily by the increase in demand for housing that has resulted from the unprecedented growth in recent years in the population and the economy. In response, the Government has taken action on a wide front to maximise access to home ownership, especially through measures to promote adequate supply of housing to meet demand.

Investment in infrastructure, streamlining of planning and more effective use of land have been co-ordinated to produce record housing output. Almost 81,000 houses were built in 2005; ten years ago, the figure was under 31,000. As a result, we are providing new homes at a much faster rate than other countries in Europe, with about 20 new homes produced annually per 1,000 population compared with five per 1,000 on average in the European Union.

Almost one third of all Irish homes were built in the past ten years. These, along with the delivery of more than half a million new homes since 1997, have enabled an unprecedented number of first-time buyers to access home ownership during this period. I am especially pleased that supply in Dublin has increased significantly, with 18,000 new homes completed last year, double the output of ten years ago.

We have also supported first-time buyers through improvements in tax reliefs and stamp duty. A number of concerted measures have been taken through the Government's social and affordable housing programmes to increase the availability of affordable housing. Investment of some €4 billion will be made under these programmes over the next three years. Approximately 15,000 households will benefit under affordable housing schemes over that period. In addition, in 2005 the Government established the affordable homes partnership to accelerate the delivery of affordable housing in the greater Dublin area where the problems are the most acute.

These measures form an important element of our policy to address affordability concerns. In December 2005 the Government launched a new housing policy framework, Building Sustainable Communities, to build on achievements and to focus delivery and increased investment over the coming years. This will ensure that we can improve the quality of housing and neighbourhoods, continue to create conditions where housing output will meet demand and provide targeted support for those with particular affordability problems.

The large increase in housing output that has been achieved has helped to restrain house price



[Mr. N. Ahern.]

increases in the face of continuing strong demand pressures and increased mortgage lending.

**Mr. Morgan:** I got that same reply from the Minister of State approximately 12 months ago and it is the same reply he gave four years ago. He has not answered my question which asked what he is doing to curb house price rises. I do not want to know, nor did I ask, how many houses were built last year. I did not ask him how many affordable houses were built, but he gave me those statistics.

What is the Minister of State doing to curb house price increases? When Fianna Fáil came into power in 1997, the price of an average house in this State was approximately €100,000. House prices are now more than €280,000 State wide or approximately €380,000 in this city. Is the Minister aware that communities throughout this city are being decimated by the huge movement of young people who cannot afford to buy houses in this city to places as far away as Cavan and Monaghan? He is doing nothing about it. Does the Minister accept there is an affordability problem? Does he accept that his constituents face that problem every day? They cannot buy houses because of the rapid rate of increase — 3.5% in the first three months of this year alone. He has not told me what will do about it. I believe he is not doing anything. Will the Minister answer those questions?

**Mr. N. Ahern:** The Deputy's main question was what we were doing to control prices. We are trying to encourage supply because with the current situation that is the only real solution. We are talking about a situation where 70,000 extra people came to this country last year. A total of 90,000 extra people were at work last year. We would not see that in a country 20 times the size of Ireland, not to mind anywhere else.

**Mr. Morgan:** The Minister has not said what he intends to do about it.

**Mr. N. Ahern:** We are trying to encourage supply.

**Mr. Morgan:** That will never be the answer. We will have to wait a lifetime or another nine years, if that is the Minister's answer.

**Mr. N. Ahern:** I am trying to answer. We are improving the planning regime, investing in serviced land and providing the conditions that have enabled more than half a million houses to be built in the past ten years.

**Mr. Morgan:** House prices are rocketing.

**Mr. N. Ahern:** We have provided tax relief on stamp duty for first-time buyers, brought forward Part V——

**Mr. Morgan:** The Minister should ask the people on the doorsteps in his constituency what is happening.

**Mr. N. Ahern:** I know, but the Deputy asked the question and I am trying to answer it. There is an affordability problem for some people and for those, we have brought in the four different affordable housing schemes that produced 2,900 houses last year. I do not want to say in simple terms that price does not count.

**Mr. Morgan:** That is the tip of the iceberg.

**Mr. N. Ahern:** Will the Deputy listen? We provided 2,900 affordable homes last year and that figure will increase.

There is an affordability problem for some people and that is difficult because the——

**Mr. Morgan:** Did the Minister say “for some people”? Professional couples on two incomes cannot afford to buy now.

**Mr. N. Ahern:** For those we built 2,900 affordable houses last year. The Deputy might have seen some of them advertised two weeks ago. Two bedroom houses were €142,000 and three bedroom houses were €172,000.

**Mr. Morgan:** And 40 year mortgages.

**Mr. N. Ahern:** Not for those, but there is a problem for some people and we are helping them because we do not want them to go back on the social housing list. That is the reason for the affordable housing scheme.

On price, it is more about affordability than price. In terms of affordability there is the price of the house, the salary of the person, the take-home pay and the interest rate. If we consider the affordable indexes, which are not a perfect animal, the position is not nearly as bad as the price——

**Mr. Morgan:** The Minister got the solutions long ago from the constitution committee but he would not even push that. The Minister should make the people at Cabinet sit up and take note.

#### **Social and Affordable Housing.**

4. **Mr. McCormack** asked the Minister for the Environment, Heritage and Local Government the action he intends to take to ensure that local authorities construct more social and affordable housing; and if he will make a statement on the matter. [16825/06]



**Mr. N. Ahern:** The new housing policy framework, Building Sustainable Communities, launched by Government last December outlines a substantially increased programme of investment in social and affordable housing measures for the period 2006-08.

Exchequer capital resources provided by my Department for these measures for this period stand at almost €4 billion, more than 20% higher than the past three years, and this sum rises to more than €6.5 billion when non-voted and current spending provisions are included. This money will be invested in response to identified need within the region of 23,000 new units of social housing to be commenced and 15,000 units of affordable housing to be delivered over the same three year period. In addition, further households will be assisted through the new rental accommodation scheme. In total, we expect some 50,000 households to benefit from various social and affordable housing measures in the coming three years.

The strength of existing social housing programmes is demonstrated in the fact that work was in progress on more than 10,000 social housing units at the end of 2005, which augurs well for the current year.

The local authority housing programme is part of the wider social and affordable housing programmes for which the main strategy for delivery is the local authority five year action plans for social and affordable housing. The action plans, now at their midway stage, are being reviewed. The outcome of the reviews will ensure that local authorities continue to have a framework for the integrated and cohesive planning and delivery over the coming years of specific social and affordable housing measures based on their relevant housing strategy.

**Mr. McCormack:** I thank the Minister for reading out that script. I do not know whether it makes sense to anybody other than himself. Has the Government any plans to revert to what was its original intention in the Planning and Development (Amendment) Act 2002 where 20% of all developments would be handed over to the local authorities for social and affordable housing? That Act was amended in the Planning and Development (Amendment) Act 2004 as a result of pressure from builders. I do not know whether they were inside or outside the tent in Galway but wherever the pressure came from, the 2004 Act was amended to allow developers an out in that regard. The position now is that the developers can either give land, money or sites or an equivalent amount of land in any area of the local authority. Is the Minister aware that in areas like Galway city in particular, where developers are developing land and where land is very expensive, developers in county areas near the city such as Oranmore, Castlegarren and elsewhere can

now provide land in Glenamaddy, Tuam, Mountbellew or anywhere else 30, 40 or 50 miles away in lieu of the 20%? Does the Government intend to revert to the original concept in the 2002 Act whereby builders and developers are required to allocate 20% of the proposed development for affordable or social housing? The current practice is a farce. Developers are either giving money to the local authority, which is not ploughed back into the equivalent amount of housing that 20% represents or they are giving land or a mix of land and money in locations other than the prime location where they are building the houses. Is the Minister aware that people living in social housing in Tuam, Mountbellew, Glenamaddy or Headford are clogging up the roads driving 20 or 30 miles a day to work in Galway city? The Government should revert to the 2002 Act whereby the developer had to provide 20% of the proposed development to social and affordable housing.

**Mr. N. Ahern:** As the Deputy said, the legal obligations of Part V can be met by a developer by land, cash and sites on-site or off-site.

**Mr. McCormack:** That is right.

**Mr. N. Ahern:** The developer may propose any such solution he or she wishes but it is the local authority that makes the decision. It says “yes” or “no” to the proposal. That is the key point. The developer can ask for or suggest anything he or she likes but the local authority makes the decision in accordance with the law of the land and its housing strategy as drawn up and approved by the councillors. That is the key point.

If the sites are located away from the development, they must be situated within the local authority area. A developer could not transfer the provision of such a site from Galway city to Galway county—

**Mr. Morgan:** No.

**Mr. N. Ahern:** —but the local authority can decide to change the provision of the site from three miles to 23 miles outside the city. That legal change was introduced in 2002 for good reason, namely, to provide the flexibility sought by the local authorities, the Department and, in some cases, developers. It made good sense. The key issue is that the local authority makes the decision in accordance with the law of the land and its housing strategy. That is the central point.

**Mr. McCormack:** I thank the Minister of State for his reply. I knew everything he said prior to him saying it. He has passed the buck back to the local authority which has made decisions in cases. I can quote cases where the developer offered

[Mr. McCormack.]

land for social housing which was 30 miles away from his development within the same local authority area. The Minister knows this situation is farcical because he backed out of making developers allocate 20% of their housing in any development for social housing because pressure was brought to bear on the Government.

**Mr. N. Ahern:** If that happens, it should be brought up in the city council chamber and the city council management should investigate matters.

**Mr. McCormack:** The Minister of State is standing up because he is very anxious to prevent me from speaking. The Minister and the Minister of State are now standing up to prevent me from speaking because they are embarrassed by the fact that I am talking sense. The big Minister stood up to save the small Minister.

**Mr. Roche:** I realise that the senile Member from Galway is probably deficient in hearing.

**Mr. McCormack:** I wish the Minister would listen because he might learn from somebody who has served on a local authority. I was a member of both Galway City Council and Galway County Council so I know exactly what is going on. Fair dues to the Minister, he has shouted me down.

**Mr. Roche:** It would be a good idea if Deputy McCormack showed some manners but expecting him to display some manners after his long and undistinguished career would be pushing matters too far.

### **Election Management System.**

5. **Mr. Gregory** asked the Minister for the Environment, Heritage and Local Government if, in view of the potential for electoral fraud arising from the large-scale inaccuracies in the electoral register, all voters will be required to produce identification before being permitted to cast their vote. [16791/06]

**Mr. Roche:** In establishing the detailed arrangements for citizens to cast their vote, it is necessary to strike a proper balance between the requirement to maintain the security and integrity of the electoral process and providing a necessary degree of flexibility. The Deputy is rightly concerned and has been concerned for some time about having maximum assurance about the genuine credentials of persons presenting themselves to vote. However, requiring the vetting of identification documents in all cases would cause delay in voting arrangements. More importantly, 100% vetting would remove a necessary flexibility from the system. For example, if an elderly voter who is well known to everyone at a polling station and is not challenged

by anyone fails to bring along a particular document, would it be reasonable to reject his or her request to vote? I think not. We are not Ryanair.

**Mr. Gregory:** Exempt the elderly.

**Mr. Roche:** That is not what Deputy Gregory asked in his question. At the polling station, the returning officer or the presiding officer may or, if required by a personation agent, shall request any person applying for a ballot paper to produce a specified identification document. I will not list the range of documents because they are well known to Members of the House.

If a person fails to produce a required document or if the returning officer or the presiding officer is not satisfied that the person is the person to whom the document relates, he or she is not to be permitted to vote. My Department has considerably strengthened its recommendations to returning and presiding officers about the frequency of document checking. Prior to 2002, the recommended frequency was one in 20 and in 2002, this was increased to one in four. I will continue to insist that the recommended frequency be one in four in the upcoming general election.

Electoral law sets out a range of offences and penalties in respect of personation, including a new offence provided for under the Electoral (Amendment) Act 2004 for the unlawful possession or use of a polling information card. I will continue to keep this important matter, including the scope for further improvements, under review. Deputy Gregory must accept that some degree of flexibility in the polling station is positive.

**Mr. Gregory:** I do not know what the aim of this flexibility is. Did the Minister have in mind the flexibility to personate someone? Anyone, regardless of age, must produce identification when he or she wishes to collect a pension, access a post office account or obtain a residential parking disc from a local authority. Regardless of the transaction they are engaged in, people require identification, and rightly so. However, one does not need to produce identification when one is electing a Government. Even under the Minister's new arrangement, 75% of voters can present themselves with no identification. They do not even require a polling card. All they need to produce is a name and address, and if challenged, they can walk away. This is the democratic process, Fianna Fáil style.

The Minister was correct in saying that I have raised this question for very good reasons since I entered this House because I have witnessed what went on in polling stations in my constituency, activity which was not confined to Fianna Fáil.

**Mr. F. McGrath:** Hear, hear. Look at Dublin North-Central.

**Mr. Gregory:** The issue of who was involved in this activity was well covered by the *Sunday Independent* a few years ago.

**An Ceann Comhairle:** Does Deputy Gregory have a question for the Minister?

**Mr. Gregory:** Does the Minister not accept that my request is really an appeal to make the democratic process secure? If the Minister issues an instruction that anyone presenting himself or herself to vote must bring along a piece of identification, be it a passport, pension book or utility bill, it will not cause delay. If this message is disseminated, people will not turn up without identification. They do not go to the post office without identification when they want their social welfare book and they always bring identification to any place where it is required. The Minister should at least give people that much credit. The Minister has responsibility in this regard but under the present system, is allowing a situation to continue where there is——

**An Ceann Comhairle:** It is now Question Time, it is not a time for speeches and we are running out of time.

**Mr. Gregory:** I am asking the Minister whether he is aware that he is allowing——

**An Ceann Comhairle:** I ask the Deputy to give way to the Minister.

**Mr. Gregory:** Does the Minister not accept that under the present system, he is overseeing a situation where there is no deterrent against mass personation, yet three or four votes can elect a Member of this House?

**An Ceann Comhairle:** Deputy Gregory is making a speech. I ask the Deputy to give way to the Minister. It is now Question Time.

**Mr. Gregory:** A total of 75% of people will not require identification and will not be challenged in the polling station. Anyone who is challenged can simply walk away.

**An Ceann Comhairle:** Members have complained that we are not getting through questions. We get through three questions per day.

**Mr. Roche:** Perhaps Deputy Gregory is more interested in the question than the answer? To require an inspection of specific documentation in all cases of people coming to polling stations would be impractical and would delay matters.

**Mr. Gregory:** Nonsense.

**Mr. Roche:** That is precisely what Deputy Gregory said because his question referred to all voters.

**Mr. Gregory:** Yes.

**Mr. Roche:** I listened to Deputy Gregory's ranting so I would be grateful if he would listen to my answer. It is called courtesy. If one was to ask that every person be challenged and that a person be disallowed a vote, particularly an elderly person who does not possess a specific document at the time, Deputy Gregory would be the first person to rightly challenge it. The operation of the challenging system would deliver what Deputy Gregory wishes to achieve. A one in four challenge is significantly higher than would be the norm in any transaction. Deputy Gregory is correct in saying that people in the main are used to carrying identification. This is why I feel it is appropriate that we increase challenges from one in 20 to one in four. To suggest that we should challenge every voter, even when he or she may be an elderly voter who may have lived for 60 or 70 years in the same house and is well known to every person in the polling station, and decide on a bureaucratic whim that he or she should be denied the opportunity to vote is impractical and undemocratic.

**Mr. Gregory:** The Minister is a disgrace.

**An Ceann Comhairle:** That language is not appropriate in a House of Parliament.

**Mr. Gregory:** That remains my view.

**An Ceann Comhairle:** I would prefer Deputy Gregory to keep such views to himself and not express them in this House.

**Mr. Gregory:** I am not here to keep my views to myself.

**Mr. F. McGrath:** The Minister should examine the situation in Dublin North-Central.

**Mr. Roche:** My views about Deputy Gregory will remain unspoken because the decorum of the House will not allow me to put them on the record. "Chancer" would be one of the words I would use, but I will not use it.

#### Other Questions.

#### Election Management System.

6. **Mr. Sherlock** asked the Minister for the Environment, Heritage and Local Government the steps he intends to take to update the electoral register and to curb electoral fraud. [16476/06]

**Mr. Roche:** In law, preparation of the register of electors is a matter for each local registration authority, as was recently recognised in a press release issued by the Deputy Sherlock's party. It

[Mr. Roche.]

is their duty to ensure, as far as possible and with the co-operation of the public, the accuracy and comprehensiveness of the register. In this, the broad approach has always been to ensure that people are entered on the register and can exercise their right to vote and I am sure that Deputies will continue to support this key objective.

Last week, I announced a package of measures, to be implemented over the coming months, aimed at assisting registration authorities to improve the register.

The measures include the use of census enumerators or other temporary personnel to support local authorities in preparing the next register as part of an intensive registration campaign to be conducted this summer. Related to this, I am prepared to make increased ring-fenced financing available to local authorities this year to update the register.

An early start will be made to the local authority registration campaign for 2007-08 and there will also be an intensive information campaign. My Department will issue updated and consolidated guidance to ensure that all local authorities work to the same template because it was recognised in a previous debate in the House that this has not been the case. The guidance will tell local authorities to make maximum use of databases available to them to cross-check the register. New information technology-based arrangements to delete deceased persons from the register have also been put in place.

My Department is now working with a group of local authority managers and senior officials to put in place an enhanced programme for improving the next register of electors. This would include ensuring that each household is visited and provided with forms and information at least twice if necessary. In the event that this process does not satisfactorily register the household, it is proposed that written notification would then be given cautioning of the danger of being omitted from the register. I recognise that Deputies of all parties will wish to avoid disenfranchising voters who have been on the register for many years. However, Deputies have equally expressed concern that a more rigorous approach to compiling the register should be taken, a concern with which I agree.

There should be a broad political consensus on these issues because sensitive matters will be raised in the editing of the register. For this reason, I have written to the chairman of the Oireachtas Joint Committee on Environment and Local Government requesting that it arrange an early discussion of my proposals.

*Additional information not given on the floor of the House.*

I am looking for the controls at all polling stations at election time to be strengthened with

updated guidelines in respect of voter fraud before the next election.

**Mr. Gilmore:** How much money will the Minister make available to local authorities for this new exercise? Has he considered a suggestion made by the leader of the Labour Party in the House yesterday, namely, that the Minister should introduce short legislation to empower the Central Statistics Office to transfer the names, addresses, nationalities and ages of the people included in the census to the registration authorities? It is not confidential information, could be readily transferred and from which an accurate new register could be compiled.

**Mr. Roche:** I thank the Deputy for his suggestion but I am not in a position to say precisely how much money will be made available. As the Deputy has suggested, it will——

**Mr. Gilmore:** Has the Minister not considered it?

**Mr. Roche:** I have considered it, but for a variety of reasons——

**Mr. Gilmore:** How much money is involved?

**An Ceann Comhairle:** The Minister, without interruption.

**Mr. Roche:** I showed the Deputy the courtesy of listening to him and I am trying to answer his question accurately. If he would allow me to do so, he could then ask a further supplementary question. This is the way in which courtesy normally operates in conversations.

**Mr. Gilmore:** The Minister is very strong on manners.

**Mr. Roche:** I have always been very strong on manners. It is a way of helping to progress business.

**Mr. McCormack:** It was the way he was born.

**Mr. Roche:** I will not mention the figure, which will run to millions of euro, because I do not know the precise cost. We do not know what the staffing requirements in each local authority will be. I have told the local authorities that I will make money available. I will discuss this issue with the Deputy, other spokespersons and the committee as required. Regarding the proposition to transfer names and addresses, data protection and privacy issues will arise *post hoc*, but I will consider the suggestion.

**An Ceann Comhairle:** Before Deputies continue, there is a minute remaining. Deputies will have 15 seconds each to ask questions.



**Mr. McCormack:** I welcome the Minister's acknowledgement that he does not know how much money is available. Does he accept that local authorities do not have the staff, facilities, resources and, in some cases, the will to have a correct register? What good will changing the register do? The current register will be in force for any election that takes place after February 2007. Will this supplementary register be adopted if any corrections are made? Will the Minister provide the necessary resources to do so?

**Mr. Cuffe:** Has the Minister turned down any request for funding from a local authority for the updating of a register?

**Ms C. Murphy:** The Minister obviously met the county managers' association, which would clearly advise the Minister on whether the registers are universally bad or just particularly bad in high development areas. Will varying amounts be allocated depending on this information or will there be a blanket response?

**Mr. O'Dowd:** Owing to the fact that urban areas are worse than rural areas in respect of registrations, built up areas and apartment blocks especially so, will the Minister immediately employ students to start the work instead of waiting until September as suggested by the Taoiseach yesterday? Thousands of young people out of college would be ready, willing and able to do the work. We should not wait for the cold weather and dark nights.

**Mr. Broughan:** I asked the Minister a question during last week's debate. Is there some way in which the An Post database could be utilised, given that it definitely includes every adult in the country?

**Mr. Roche:** I will address the last point first because some confusion arose from comments made by an official in a newspaper during the week. I have made it clear that I want every possible database examined. Deputy Broughan is right, as the suggestions that it would cause an outcry are not valid. I have asked that all databases be examined. Every possible option to cross-check the information should be used. Deputy McCormack's proposition that local authorities, which are better funded and staffed than ever before, do not have the money is nonsense.

**Mr. McCormack:** And busier.

**Mr. Roche:** I do not accept that the Deputy is correct regarding local authorities not having the will.

**Mr. McCormack:** Some of them.

**Mr. Roche:** Some local authorities do the job very well. If Deputy McCormack believes that a local authority does not have the will, he should

let me know. I will deal with the authority's manager because I take this matter quite seriously.

**Mr. O'Dowd:** Good man. The Minister will give them a slap on the hand.

**Mr. Roche:** Regarding Deputy McCormack's point about staff, it was for this reason that I have proposed to give local authorities the funding and authority to take on enumerators.

Deputy O'Dowd raised the issue of whether we should engage new personnel. This is unwise for the following reasons. The enumerators have been around the country, are very familiar with the space and have established a lot of knowledge that should be used. As Deputy Broughan stated previously, if we cannot use enumerators, we should consider other personnel. Postal staff would be the best way to address the issue.

Deputy O'Dowd was correct when he stated that the situation in urban areas would probably be different, a matter raised by Deputy Catherine Murphy. In certain areas where there are many apartments or gated estates, the issue will be more challenging. As such, it is not possible to say where resources will go. Deputy Murphy asked whether the amount will be specific to each authority or if an average will be given. An average is not a proper way to do this. I will examine the requirements of individual circumstances, which the amount given will reflect. For example, it would not be sensible to suggest that a small county should get as much as a county with a large urban area.

Deputy Cuffe asked whether I refused funding to any authorities. I refused a specific blanket request from Kildare County Council because it is not appropriate to dole out money to local authorities on an asked-for basis. As was pointed out in Deputy Gilmore's press release yesterday, there is a statutory requirement on the local authorities to do this job, which some are doing in a spectacularly good way. However, while they make real efforts, others do not. I do not intend to reward those who are not doing their jobs. Rather, I intend to force them. I stated previously that I have spoken to a number of local authority managers and franchise officers and I am convinced that all of them have a serious interest in resolving this issue.

It is important to say that over the years, we have concentrated on putting people on the register, which is as it should be. We will now concentrate on editing the register and including those who should be on it. This will require the co-operation of members of the public. I do not want Deputies informing the House next November that X, Y and Z has been written off the register. There is a challenge to get it right. For example, if two visits are made to a household, an official notification and a warning that people could be taken off the register are sent and the people are then removed from the register, we should discuss it. I have written to the Chairman of the committee and suggested that we sit down and discuss

[Mr. Roche.]

the matter in detail. It would provide us with a better opportunity than Question Time.

**Mr. McCormack:** I am sure that they are shaking in their boots.

### House Prices.

7. **Ms Burton** asked the Minister for the Environment, Heritage and Local Government the steps he is taking to assist persons in housing affordability black spots, such as Dublin, in view of the fact that house prices in the capital have risen by 2.8% this year compared to a rate of 2.4% elsewhere in the country. [16455/06]

**Mr. N. Ahern:** First-time buyers' access to affordable home ownership is a Government priority and the delivery of more than 500,000 new homes since 1997 has enabled an unprecedented number of first-time buyers to access home ownership during that period. Affordability has also been improved through other specific action targeted for first-time buyers, including improvements in tax reliefs and stamp duty, as well as investment in affordable housing initiatives.

Increased delivery in Dublin is being supported by addressing infrastructural deficits and opening up new areas for development. Some 18,000 new homes were completed in Dublin in 2005, which is more than double the rate for 2001. The Government has prioritised the particular affordability issues of the Dublin area by establishing a new agency, the affordable homes partnership, during 2005 to co-ordinate and add impetus to the delivery of affordable housing in and around the capital. The partnership is now well established and is making good progress on the implementation of its work programme.

Nationwide, local authorities are working through their housing action plans to deliver affordable housing in areas where market provision does not meet demand for lower income groups. Output is growing under these schemes, with 2,900 households assisted in 2005. A sharp increase is expected in the next three years, with 15,000 households likely to benefit under these schemes.

**Mr. Broughan:** I thank the Minister of State for his reply. Was he disturbed by the report in this morning's edition of the *Irish Independent*, which indicated that at present, up to one eighth of first-time buyers take out 40-year mortgages? These mortgages are of an amazingly long duration and such people may pay up to €120,000 more for their houses. As the newspaper noted this morning, effectively, young buyers will end up renting their house for the entire term.

Second, does the Minister of State accept that amazingly, house prices are rising 3.5 times faster than one year ago and that the average price in Dublin is approaching €400,000? It stands at

€385,000 at present. Does he agree this is a daunting prospect for young buyers and couples?

**An Ceann Comhairle:** The Deputy should be brief. Four other Deputies wish to contribute.

**Mr. Broughan:** Very well. The Minister of State read out last year's record on affordable housing, which constituted an improvement. However, does he agree there is still an issue regarding the Part V loophole?

**Mr. N. Ahern:** The answer in respect of the Deputy's point concerning the percentage of people with 40-year mortgages is "Yes". I am concerned and have said so several times. While it is easy to blame the developers for rising prices, in the past 12 months, the amount of credit provided by financial institutions through various gimmicks, such as 40-year mortgages, 100% mortgages, interest-only mortgages and other initiatives in an extremely tight market has been extremely inflationary. It has increased prices. Buyers always wish to join the housing market and some gimmicks, such as 100% mortgages, have brought forward demand. People may decide to opt to take out a 100% mortgage now, whereas previously they had been considering the purchase of a house in 2008 or 2009. When this is added to the additional 90,000 people participating in the economy, as well as the 70,000 people who entered the country last year, I accept that enormous pressure exists.

The national average price for a new home is €287,000, while it is €360,000 in Dublin.

**Mr. Broughan:** The figure I have is €384,000.

**Mr. N. Ahern:** These are official figures. I accept that some estate agents have produced figures based on their own data. In any event, this constitutes the average price for a new or second-hand home. First-time buyers opt for cheaper homes. The average prices are beefed up by second-hand established homes, of which there is always a shortage. As the careers of those people who may have moved 20 or 30 miles out of the city progress, they return to Glasnevin, Clontarf, Clonskeagh or wherever. There is particular pressure on such established second-hand homes.

Overall, we are in a spiral at present. Early last year, most predictions were for an annual increase of 5% or 6%. However, prices took off last year in the middle of the year. While this may have been partially due to the state of the economy, it was also due to the financial institutions, particularly those which introduced 100% mortgages. This appears to have propelled us into a new cycle in which we remain at present. While there have been many predictions to the effect that we will escape from it as the year progresses, at present, as the Deputy noted, prices are rising by more than 1% per month. We are doing everything in our power to slow that down.

**Mr. O'Dowd:** Does the Minister of State agree that we are now faced with the first generation of young people, particularly in Dublin, who cannot afford a house in their own locality and have been driven out to surrounding counties such as Wicklow, Louth, Meath and even Wexford, as well as Portlaoise and other cities and towns? Should the Minister of State draw up a new strategy for first-time buyers as they are not the dominant force in the housing purchase market? Does he have any special strategy to assist first-time buyers?

**Mr. Cuffe:** Does the Minister of State not admit that, in effect, the continued increases in house prices constitute a tax on the young? While older people benefit, younger people feel the pinch. Does he accept that his brother, the Taoiseach, has added fuel to the fire in recent weeks with his comments concerning house price increases? May I ask the Minister of State—

**An Ceann Comhairle:** Sorry, Deputy, you may not because I wish to call Deputy Finian McGrath and six minutes have already elapsed. You have asked two questions.

**Mr. Cuffe:** My last question took only approximately five seconds.

**An Ceann Comhairle:** Yes, however, that would make three questions and the Minister of State would seek additional time in which to answer them.

**Mr. Cuffe:** The first two questions were rhetorical remarks.

**Mr. F. McGrath:** Does the Minister of State accept that we face a major housing crisis in this State and that something must be done in this regard? Matters have gone out of control. While the NESC has recommended that 10,000 units be built each year, the current provision is for half that amount. Does the Minister of State accept that we face a major housing crisis and what does he propose to do about it?

**Mr. N. Ahern:** Deputy O'Dowd referred to people's inability to buy in their own locality. That has always been the case.

**Mr. O'Dowd:** I referred to first-time buyers in Dublin.

**Mr. N. Ahern:** That has always been the case. I have been around for some time and one must always—

**Mr. O'Dowd:** They cannot buy houses within the city of Dublin.

**Mr. N. Ahern:** —buy elsewhere. However, I accept that some Dubliners have moved to the vicinity of Drogheda. They are all right, if one speaks nicely to them.

**Mr. O'Dowd:** In footballing terms, they fly the wrong flag.

**Mr. N. Ahern:** The Deputy should not be scared of them. However, the first-time buyer is still a major player in the market. Although prices have risen, it is a question of affordability. The real test concerns the percentage of one's take home pay which one spends on one's mortgage. If one reviewed the position that obtained 20 or 30 years ago, one would probably find that in many cases, it was not significantly different, particularly in those cases where two people work. That is the key point. While prices have risen, interest rates and personal taxes have fallen and salaries have risen.

I am not happy and I do not think it fair that developers and financial institutions were the entities which made large amounts of money based on falling interest rates. However, the key question pertains to the affordability index and the percentage of people's take home pay which is involved.

Young people are doing reasonably well. While they buy new homes which appear to be extremely expensive, they appear to be able to furnish them etc. It has been some years since I bought my home.

**Mr. Cuffe:** They are obliged to commute from Wexford to Dublin.

**Mr. N. Ahern:** They do not appear to be overly deprived and seem to manage. I accept that expectations are higher. The potential problem with mortgages concerns future increases in interest rates. This is where real concerns may arise. Financial institutions are supposed to conduct stress tests. However, I have heard rumours — I do not have the facts — that they do not perform stress tests as thoroughly as they should in all cases. The danger is that if interest rates rise, people could encounter difficulties in cases in which stress tests were not conducted properly, if take home pay remained static and the economy weakened. However, it is hard to cope with a situation in which the economy powers ahead in tandem with such high demand. We now face an entirely different world. I do not use words like "crisis".

**Mr. Cuffe:** What crisis?

**Mr. N. Ahern:** In the main, Question No. 7 pertains to affordable houses. My understanding is that Deputy Finian McGrath has attempted to raise the issue of social housing. This year's budget for social housing is €1.4 billion, which constitutes a significant sum of money. The output for local authority houses last year was the highest for 20 years. The number on the waiting list was down 10%, and if we could double the output, we could allocate houses to all these people. We are making progress. The various methods in place are helping. While the average



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price of houses keeps increasing, a study states that the average price for first-time buyers has decreased by 13%. As a result of the affordable schemes, there are a number of houses for first-time buyers throughout Dublin which cost under €200,000. To promote the schemes more, local authorities must advertise them strongly.

### **Election Management System.**

8. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government the latest figures on the cost of storage of electronic voting machines; and if he will make a statement on the matter. [16628/06]

**Mr. Roche:** Historically, responsibility for the security and safe storage of voting equipment such as ballot boxes, stamping instruments etc. has been a matter for returning officers who are statutorily responsible for conducting the polls. Accordingly, similar responsibility was assigned to returning officers for the storage of the electronic voting equipment. It is important to ensure that all necessary steps are taken to protect these instruments.

Information provided by returning officers to my Department indicates that the total annual storage cost for the electronic voting machines and ancillary equipment, which includes rent, insurance, service charges, rates, heating etc. is €696,000. This is the figure calculated last September. I have asked my Department to explore, in consultation with the Department of Defence, the options for centralised storage of the equipment. I am pleased to tell the House that a premises suitable for centralised storage of voting machines has now been identified and arrangements for transport and storage are being discussed.

On the system itself, a programme of further assessment, testing and validation is under way in my Department to address issues raised by the Commission on Electronic Voting. The timing of the further use of the system is dependent on the progress made on this work and the ongoing work of the Commission on Electronic Voting, which was mandated by the Oireachtas in 2004 to continue its work and whose report is expected shortly. I expect the CEV to have a report shortly and, at that stage, further decisions will be made on the future use of the machinery.

**Mr. McCormack:** Given that the Minister, Deputy Cullen, insisted on purchasing the electronic voting machines, despite the opposition of Deputy O'Dowd, Deputy Gilmore and me at the Joint Committee on Environment and Local Government, and that €696,000 was the cost of storing the machines up to September last year, what is the cost of storing each machine in Waterford compared with other areas? Now that the machines have been written off, they will be sold at a loss because they will not make €52 million which they cost and which was a waste of tax-

payers' money. Will the Minister who was responsible for pushing this programme through, despite the opposition, be surcharged for the loss incurred on the sale of the machines? Is it intended to store the machines in the same manner next year and what will the storage cost next year? Would it be more economical to sell the machines, even at a loss, rather than paying €700,000 to store them again next year? I hope the Minister will be able to give me the figure for the storage of the machines in Waterford, which I understand is exorbitant.

**Mr. Roche:** The figure for the storage of the machines in Waterford was announced in a reply to a parliamentary question some time ago. The Deputy is correct that the figure was significantly higher than it was in other cases. For example, the cost of storing the machines in Waterford in 2005 was €52,888, whereas in other counties it was significantly lower. Louth was the lowest.

**Mr. McCormack:** What about Wicklow?

**Mr. Roche:** The cost in Wicklow was €42,000, which was very high also.

**Mr. McCormack:** What was the cost per machine?

**Mr. Roche:** I do not have the cost for each machine, but if the Deputy wishes, I will get it for him.

**Mr. McCormack:** I will give them to the Minister.

**Mr. Roche:** That is fine. However, if the Deputy knows the figure, I am surprised he asked the question.

**Mr. McCormack:** It was €172,000——

**Mr. Roche:** The Deputy knows the answer, yet he asks the question. He would make a good barrister. He would make a better barrister than he did a Deputy.

On whether it would be better to sell off the machines, I remind the Deputy that the Oireachtas charged the Commission on Electronic Voting to carry out an analysis of the system. Therefore, it would make no sense to decide to make that decision in advance of the CEV completing its work. I anticipate that the CEV will complete its work in a short time, and at that stage I will make a decision.

The third question the Deputy asked related to whether the cost for storage will be as high in 2006-07 as it was in 2005. I hope the figure will be less. However, contracts have been entered into in some cases and there will be a cost for breaking these. I have already indicated that my view and determination is to bring the machines to an individual storage place as quickly as possible. I repeat what I have said in the past, namely, that I do not see the circumstances aris-



ing whereby we will be using the machines in 2007. Therefore, it would be appropriate to bring them to a single storage place.

On scrapping or giving away the machines, having set up the Commission on Electronic Voting, it would be much better to wait until the commission, which has spent a significant amount of money on its work, reaches a conclusion, after which I will make a final decision.

**Mr. Broughan:** Given that the Minister is effectively saying the machines will be held in publicly owned storage, what will be the net cost to the State from now on? Most Deputies are having their computers in the House upgraded to Microsoft XP. Is there a situation whereby the Minister might consider upgrading the machines, or can they be upgraded given the original comments by the commission? In other words, is there any possibility that the machines will be used and, as Deputy McCormack said, would it not be better to charge it to the Ministers, Deputy Noel Dempsey and Deputy Cullen, and write them off as depreciation?

**Mr. Cuffe:** To follow on from Deputy Broughan's point, computers in Leinster House appear to be recycled after five years, while they are recycled in the commercial world every three years. Is the Minister happy to stand over using computers that will be at least ten years' old by the time they are first used in a real life situation? Given that cars depreciate by one third from the moment they are purchased, I suspect the voting machines are worth just one tenth of what they cost. Does the Minister have any figures in this regard?

**Mr. Roche:** To answer Deputy Cuffe's last question—

**Mr. McCormack:** What is the cost of the analysis the Minister is now carrying out?

**An Ceann Comhairle:** The Deputy must allow the Minister to reply because we want to get to Deputy Crawford's question.

**Mr. Roche:** The Deputy knows that I will not know the final cost of the ongoing analysis until it is concluded.

**Mr. McCormack:** Why?

**Mr. Roche:** The Deputy should have a little bit of logic in the way he approaches life. The Commission on Electronic Voting was set up by the Oireachtas to do a job. It is an independent body and we all expect it will do its job without interference from the Deputy or me.

On Deputy Cuffe's question about depreciation, it is not normally applied to equipment like this. He is correct that equipment depreciates over time. He asked a related question to Deputy Broughan's question, namely, could the machines be updated? There is a signifi-

cant difference between simple enumerating machines, which is what these machines are, and computers. They would not require the same updating as computers. The final response to the question of the future use of the machines will flow from the CEV's report. I will not delay making a final decision after I receive that report.

**Mr. Broughan:** Will the cost be €44,000?

**Mr. Roche:** The Deputy asked about storage in a centralised location owned by the State. I presume there would be some cost involved, because the Department of Defence might have other use for that space. The Deputy will agree that in the circumstances it makes much more sense to bring them back to a central location and store them there, though normally the electoral equipment is distributed among the returning officers. The circumstances in this instance are such that it would make much more sense to bring back the equipment to a central location. There will be some cost in breaking contracts but we will have to bear it.

#### Local Authority Housing.

9. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government the number of households in the rental accommodation scheme; the cost of the project to date; and if he will make a statement on the matter. [16587/06]

100. **Mr. Perry** asked the Minister for the Environment, Heritage and Local Government the response he has received from local authorities regarding the operation and implementation of the rental accommodation scheme; and if he will make a statement on the matter. [16636/06]

**Mr. N. Ahern:** I propose to take Questions Nos. 9 and 100 together.

Under the rental accommodation scheme, or RAS, local authorities are providing accommodation for certain recipients of SWA rent supplement who have been assessed as having a long-term housing need. The RAS is an additional housing option and eligible persons can indicate their preference to be accommodated by local authorities under the RAS or social housing, or to be considered under both.

The initial project to transfer rent supplement recipients of 18 months or more continuous duration is due to be completed by the end of 2008. The implementation of the RAS is a collaborative project between my Department, local authorities, the Department of Social and Family Affairs and the community welfare service of the Health Service Executive. Roll-out commenced in an initial group of lead authorities, namely Dublin, Galway and Limerick City Councils, South Dublin, Donegal, Offaly, Westmeath County Councils and Drogheda Borough Council. In addition, South Tipperary, Fingal,

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Louth, Kilkenny, Monaghan, Wexford, Wicklow and Leitrim County Councils and Waterford and Cork City Councils are now implementing RAS. These authorities collectively cover 79% of the transferable cases.

The total cost of the scheme to date is €1.73 million of which €842,000 has been spent in the current year. There is a budget of €19 million to support the implementation of the scheme in 2006.

More than 1,000 cases have been transferred to RAS since the initial transfers in September 2005. A further 340 households in the target group for the RAS have been provided with local authority housing. The target is to have 5,000 cases transferred to the RAS by the end of the year. A further 5,000 prospective RAS households have had their cases reviewed. Work is ongoing on interviewing tenants, the inspection of properties and meeting and negotiating with accommodation providers.

Implementation of the scheme will accelerate as local authorities procure new accommodation through the development of new public private partnership or PPP arrangements. The procurement process for PPP projects to deliver some 100 units of accommodation on long-term lease type arrangements has commenced, with three local authorities having issued procurement notices.

**Mr. O'Dowd:** The RAS scheme is not working in many areas. Last year's budget of €6 million was significantly underspent. Many local authorities such as Drogheda Borough Council for example have asked that the amount of rent they are allowed to pay be increased. On the periphery of Dublin, landlords are demanding rents far higher than rural or non-urban rents. That is a serious issue which must be addressed. It is one of the issues in these two questions asked by Fine Gael Members.

With regard to the waiting period of 18 months, I have had representations from people in their 50s who have recently been separated, or people who might have serious mental or other health problems. Will the Minister of State consider excusing people in certain extreme conditions from the 18-month waiting period and allow them in much earlier, so that they would not have to wait in awful, appalling accommodation, and be fast-tracked into RAS accommodation if it were available to them?

**Mr. N. Ahern:** There is no problem with the budget. It is not a case of resources if many local authorities are not using the money.

**Mr. O'Dowd:** They cannot use it. The Minister of State will not let them use it.

**Mr. N. Ahern:** The scheme has been started by 19 local authorities.

**Mr. Broughan:** How many people are involved?

**Mr. N. Ahern:** I gave the figures. There are about 60,000 people on rent supplement. There are about 33,000 of those who are over the 18-month waiting period. About 1,000 people have moved so far. This will be a very slow process, and to date it is slower than we expected. One has to negotiate case by case with each landlord. Much of the accommodation for which people were receiving rent allowance is very poor. The local authorities will not touch it or take responsibility for it. Some of the tenancies are not registered with the PRTB and other landlords are sitting on the fence and do not necessarily want to do business. Overall, the process is slow. It was always meant to take about four years, and is a major project.

**Mr. O'Dowd:** Will the Minister reduce the 18-month period?

**Mr. N. Ahern:** No. We are trying to deal with 33,000 people.

*Written Answers follow Adjournment Debate.*

#### Adjournment Debate Matters.

**An Ceann Comhairle:** I wish to advise the House of the following matters in respect of which notice has been given under Standing Order 21 and the name of the Member in each case: (1) Deputy Cowley — to ask the Minister for Education and Science to explain why a school (details supplied) is to lose the equivalent of two teachers due to the withdrawal of funding; (2) Deputy Catherine Murphy — to ask the Minister for Transport to outline his views on the proposal to change the airspace licence at Weston Aerodrome; (3) Deputy Ó Caoláin — the need for the Minister for Agriculture and Food to take immediate action to address the serious situation now being faced by the poultry sector; (4) Deputy Neville — to ask the Minister for Agriculture and Food to discuss an increase in financial aid for the growing of miscanthus; and (5) Deputy Eamon Ryan — the need for the Minister for Agriculture and Food to instruct Coillte to cease the clear-felling of trees in Ticknock forest so that the recreational use of this forest park can be retained.

The matters raised by Deputies Ó Caoláin, Neville, Ryan and Cowley have been selected for discussion.

#### Adjournment Debate.

#### Poultry Sector.

**Caoimhghín Ó Caoláin:** I thank the Ceann Comhairle for the opportunity to raise this issue and the Minister of State for attending.

This issue is in the context of the recent missive from Brussels of 25 April, in which the Commissioner for Agriculture and Rural Development, Mariann Fischer Boel, stated:

Some countries have suffered a serious drop in consumption and prices in the poultry sector which could not be adequately compensated with the existing tools. Thanks to today's agreement, member states who so wish will be able to design measures best suited to their own particular situation.

The last line of the statement from the Commissioner concludes:

Once member states submit their proposed measures, the Commission will have to approve them through the management committee procedure.

I hope the Minister of State will be able to advise us this afternoon exactly what measures the Department of Agriculture and Food intends presenting for EU Commission support. It is important we recognise there is not a single approach which will satisfy the complexities of the poultry sector. In other words, one size will not fit all. It is important we reflect on the range of needs within the poultry sector, which clearly is currently suffering a significant downturn in terms of the market and the issue of consumer choice. This is reactive to the ongoing publicity and tension involved in the threat of avian flu coming to Ireland. Avian flu is not in Ireland. It is important that we use today's opportunity to say so. The points I want to make must be against the understanding that Irish chicken is of excellent quality and very good to eat. I urge people to have confidence in Irish poultry meat as an option for their personal and family consumption.

We have to consider the range of different needs. The bigger processors clearly have certain requirements and would perhaps benefit from consideration of a rescue package or subsidy linked to cold storage. We are looking at situations where there could be anything up to or exceeding 100,000 chickens in cold storage and little prospect presenting over the 18-month span for safe human consumption. We must therefore look at the whole area of supports for producers and processors, but not intervention. I emphasise that, but we could consider export to Third World countries, where there would be a ready market, albeit at reduced prices. We should regard that economically, as part of our commitment to overseas aid, at the same time ensuring we protect the interests of a critical sector of our agriculture economy.

Recently we have seen a deterioration in demand and prices are reducing as a consequence. Regrettably, if key measures are not taken, we will find there will be a need to dispose of vast quantities of poultry meat that have built up in cold storage over the period. At the same time we have a large amount of cheap imports

of poultry of questionable quality and almost no traceability coming into the country.

With regard to smaller processors in the poultry sector, cold storage support simply will not address those processors' needs. They need cash flow to survive. I am referring here to companies which are dependent on wings and legs exports to the African market. With the closure of the Benin market, where avian flu has occurred and the opening up of potential in Gabon but with serious price reductions——

**An Ceann Comhairle:** I ask the Deputy to give way to the Minister of State, in fairness to other Members.

**Caoimhghín Ó Caoláin:** I urge the Minister of State and her Department to put forward the most appropriate measures, with the greatest speed possible.

**Minister of State at the Department of Agriculture and Food (Ms M. Wallace):** In the last six months the European poultry industry has been experiencing market difficulties as a result of the reduction in demand for poultry meat. This resulted from consumer concerns arising from the publicity surrounding avian influenza. The problem has been felt acutely in Mediterranean countries while more northerly countries have encountered far fewer problems. The current situation in Ireland is that demand has improved in recent weeks and is now approximately 10% down on normal levels. The Minister for Agriculture and Food, Deputy Coughlan, and the Minister of State, Deputy Smith, have kept in very close contact with the sector and recently visited a major processor in the north east.

Apart from demand on the home market, some operators are suffering losses on sales of cuts such as legs and wings that were traditionally exported. Those markets are no longer available as there has been a similar reduction in demand for poultry products in non-EU as well as in EU countries. Those operators who achieved sales had to do so at greatly reduced prices.

Heretofore there was no effective legal basis on which any financial support could be advanced to the poultry industry. As the current difficulties are being experienced in varying levels throughout the EU, the Minister for Agriculture and Food, Deputy Coughlan, along with several of her colleagues in other member states, asked the EU Commission to put forward proposals for a suitable legal framework whereby assistance could be provided, with a view to alleviating the difficulties for the sector.

On 26 April last the Council of Agriculture Ministers adopted a new regulation under which exceptional support measures may be considered for the poultry industry in the event of serious market disturbances directly attributed to a loss of consumer confidence due to public health or animal health risks. Any measures approved under this framework would be co-funded on a



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50-50 basis by the EU and the individual member states concerned.

Member states are required to forward their plans and costings for proposed measures for consideration by the Commission. A poultry management committee meeting will take place in Brussels on 17 May next. At this meeting, the Commission will provide clarification on how it intends to proceed with these proposals, including the types of measures it will accept for co-funding. The Commission will have regard to overall budgetary considerations, as funding will have to come from elsewhere within the CAP budget. The Commission will also be anxious to avoid interfering with the relative competitiveness and income of operators in the various member states as countries may vary greatly in the level of support, if any, they will provide to their industries.

The Commission has already indicated its strong preference for measures that will solve the problem at source, that is, a reduction in the number of breeding poultry to bring the level of poultry meat production into line with actual demand.

The Minister for Agriculture and Food will shortly be proposing a package of support measures to the EU Commission for approval and co-funding. Due to the European State aid rules this route, involving Commission approval and co-funding, is the only legal mechanism for providing such support to the sector.

The Department will be requesting support for measures that operators may decide to take to reduce their throughputs. This will cover the destruction of hatching eggs and reduction of the breeding bird population. I envisage that this scheme will come into operation soon after approval and will apply long enough for corrective action to be taken and fully implemented by the industry.

The Minister will also be seeking short-term support for poultry farmers and processors for reduced throughputs. Aid for private storage is another mechanism that would be useful to the industry as there are already unusually high quantities of poultry meat stockpiled here. She hopes the Commission will approve a storage scheme that will assist processors over the next few months.

As some operators have already taken steps to adjust outputs to the new reality, the Department is anxious that an element of retroactivity be provided in approved measures.

The rates of export refunds have already been increased to extraordinarily high levels but these are having little effect because third countries have reduced their demand for poultry for the same reasons as are at play here in the European Union.

We will have to wait until 17 May before we know the exact timescale and procedure for approval of measures that the Commission is working to but the Department fully appreciates that whatever measures are going to be available

should be commenced at the earliest possible date.

The poultry industry is a valued part of the agricultural economy and I am anxious that it remains viable and prospers. The sector must position itself to produce product for which there is a real demand and remain competitive. Undoubtedly there are severe competitive pressures on this industry at the best of times. The Department is strongly of the view that special short-term support is warranted in the context of the current avian influenza difficulties.

I assure the House and the poultry industry that the best interests of the sector on this issue will be promoted and defended to the EU Commission, at official and political level, to achieve the best possible outcome with regard to the introduction of the most useful special support measures to meet the particular needs of the Irish poultry sector at this critical time.

I thank Deputy Ó Caoiláin for raising the issue.

### Grant Payments.

**Mr. Neville:** I thank the Ceann Comhairle for allowing me to raise this issue. The first crop of miscanthus grass in Ireland was harvested three weeks ago in Adare. An Adare company, JHM Crops Limited, was formed to promote miscanthus as a viable alternative crop. The first harvest came from the Hogan farm in Adare, County Limerick. JHM Crops Limited and Quinn's of Baltinglass have formed a relationship to jointly promote the growing of miscanthus in Ireland, as they have an exclusive agreement with Bical for their rhizome in Ireland.

They have identified the growing of miscanthus as an alternative farm enterprise and have established crops for rhizome and cane production. A feasibility study carried out by Dr. J.J. Leahy at the University of Limerick shows the project has excellent potential. Miscanthus is a low input, high yielding multipurpose crop, suitable for production across large areas of Ireland. The crop is undergoing much research in Europe, the United Kingdom and more recently, Ireland, as a renewable energy crop to produce heat and power. Miscanthus has other environmentally positive applications such as use for equine bedding or garden mulch. The establishment of more processing facilities to meet the needs of growers and end users is essential, providing an opportunity for farmers to maximise returns, especially in the early years.

I urge the Minister of State to review the supports given by the Government to miscanthus growers. The crop is supported through the energy crops scheme, which only provides €45 per acre to farmers. The benefits of the product are such that it deserves much greater support than that which is currently available.

Miscanthus is a woody perennial grass originating in South East Asia and is commonly known as elephant grass. The non-flowering forms are of interest agriculturally as they grow rapidly, have



low nutrient requirements, produce high yields, suffer from no known pests or diseases and conventional agricultural machinery can be used to plant, maintain and harvest them.

Miscanthus is grown commercially as an energy crop for use in power generation. Commercial power generation projects using biomass crops such as miscanthus commenced some time ago in the United Kingdom and Europe, with more due to come on stream in the next number of years. Ireland is only now waking up to the potential of biomass power. JHM Crops Limited, in Adare, is committed to supplying crops for a similar market in Ireland.

The crop is propagated by rhizomes, will grow to three metres in height within three years of planting and remain viable for at least 25 years.

As the plants are sterile, there is no danger of proliferation of the crop onto adjoining lands. The crop is perennial, with stems emerging from an underground rhizome complex annually, in March or April, reaching its maximum height of three metres towards the end of August. Cooler temperatures in autumn trigger senescence and translocation of reserves below ground. The crop is left in the field over winter during this phase. Leaf material falls to the ground, recycling nutrients and providing mulch which suppresses weed growth. By spring the cane is ready to harvest, typically using a forage harvester similar to that for maize. It can also be harvested using mower conditioner power prior to baling. Detailed information on the agronomy of miscanthus can be supplied.

Miscanthus differs from short rotation coppices in that it provides an annual harvest and therefore an annual income for the grower. In Ireland, long-term arid harvestable yields from a mature crop will exceed seven tonnes per acre per year and will, in many cases, amount to eight or nine tonnes. Miscanthus has at least three end uses in the UK at present. It is a renewable energy source as baled miscanthus straw is used to generate electricity in purpose-built straw-fired power plants. Miscanthus straw, blended with sawdust or wood is pelletised to produce biomass fuel and miscanthus straw is used to make briquettes for use in domestic fuel.

It is also used to make equine, cattle and pet bedding, cat litter and chicken house bedding. It is used for garden mulch. Other possible uses are the manufacture of chipboard and plywood. I ask the Minister of State to review the low levels of support in place, in view of the opportunities for the State for a friendly energy production policy.

**Ms M. Wallace:** I welcome the opportunity to comment on this matter. There is renewed interest in the potential of energy crops, including miscanthus and short rotation coppice, having regard to environmental considerations and the increasing cost of fossil fuels. In this context, the Department is working closely with the Department of Communications, Marine and Natural

Resources, which is responsible for overall energy policy.

From an agricultural perspective the cultivation of energy crops specifically for bioenergy purposes represents an opportunity to generate new income and diversify the rural economy. The reformed Common Agricultural Policy allows farmers to concentrate on producing to meet market requirements. This new freedom to farm opens the possibility for farmers to explore alternative farm enterprises such as energy crops.

Miscanthus, as the Deputy stated, is also known as elephant grass and is not grown to any great extent on a commercial basis in Ireland. However, recently some producers have explored the possibilities for growing miscanthus as a feedstock for bioenergy purposes. I am delighted to hear the first harvest has come in on the farm concerned. I met the farmer some weeks ago. As Deputy Neville stated, miscanthus has three possible fuel markets, commercial boilers in baled or chopped form, stoves and small boilers in pelleted form and power stations in baled form.

Support to farmers for the growing of energy crops may only be granted in accordance with EU regulations. At present, such support is provided by way of the energy crops scheme introduced by Council Regulation (EC) 1782/2003 and is administered by our Department. Under this scheme, energy crops may qualify for aid of €45 per hectare provided they are intended primarily for use in the production of biofuels and electric and thermal energy produced from biomass. The aid is granted in respect of areas where production is covered by a contract between the farmer and the processor, except in the case of processing undertaken by the farmers on his or her own holding. The aid is payable in addition to the single payment. In Ireland, the only crop sown under this scheme in 2005 was oilseed rape, except for a small amount of willow. Miscanthus is among the non-food crops that may be grown on setaside land to activate setaside entitlements under the single farm payment.

As part of the EU strategy for biofuels, it is intended to review the operation of the energy crops scheme during the coming year. We do not believe that the €45 per hectare available under the energy crops scheme is sufficiently attractive in itself to stimulate the growing of crops for energy. At the February Council of Agriculture Ministers meeting, the Minister for Agriculture and Food, Deputy Coughlan, called for a review of the premium. The European Commission has undertaken to review the operation of the scheme and has indicated it would probably present proposals for revision. The Department has also received a number of proposals for the introduction of establishment grants for miscanthus and these are being considered.

Meanwhile, Teagasc is conducting research into the potential use of miscanthus and other arable crops and residues as heating fuels. Last year, our Department began providing direct funding, on a competitive basis, to support

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priority research projects in relation to biofuels. This funding is channelled through the Department's research stimulus fund programme. Three of the projects selected under the 2005 call for proposals directly relate to biofuel and energy crops and received total grant assistance of €900,000. The funding available under the programme has now been substantially increased and a further call for projects was recently advertised in the national press. This call also includes the non-food uses of agricultural land.

The potential contribution of agriculture to the development of bioenergy is recognised in the Department's action plan in response to the Agri-Vision 2015 report. The Department will work towards the achievement of the actions on biofuels and bioenergy detailed in that action plan. In this context the Department will continue to work closely with the Department of Communications Marine and Natural Resources. I thank the Deputy for raising the issue and giving me an opportunity to clarify the matter.

### Forestry Sector.

**Mr. Eamon Ryan:** I thank the Ceann Comhairle for allowing this matter to be raised. I was born more than 40 years ago in Dundrum in south Dublin and grew up there. Every Sunday afternoon, to rescue my poor mother from myself and my brothers and sisters, my father brought us to walk on Ticnock mountain. I grew up with the trees on that hill. I was seven or eight years of age when we started walking, and was roughly the same height as the trees at that time. As I grew up — unfortunately I now grow more out than up — I saw the trees growing up and out to a similar, if not larger, width.

As a representative of a constituency in south Dublin, there is no doubt in my mind that one of the greatest benefits and attractions of living in south Dublin, particularly near the hills, is that we have that wonderful resource where one can go for a cycle or a walk and escape. It is still only five, ten or 15 minutes away from most of the houses in my constituency. We must protect that valuable asset.

It was with shock that, when I was recently back up on Ticnock going for a Sunday afternoon walk with my young children, I realised the forest with which I had grown up was being clear felled. It is quite a shock for anyone who grew up with a forest to go to the mountain or landscape and see it as the scene of barren devastation. Every single tree in an approximately ten-acre site was cut down. Nothing but stumps were left, with topped and tailed trees on the ground. To me, it is a tragedy that must be stopped. I call on the Minister of State at the Department with responsibility for forestry to take action, make direct contact with Coillte and stop the practice until the concept is discussed with local politicians.

Viewing the forests from Coillte's timber industry perspective, it may be time to cut down those trees. It is standard operating procedure that 45 year old trees are sent for milling. The value of those forests as a recreational resource far exceeds the value which accrues from it as simple timber. Similar special status applies to forest parks across south Dublin, parts of Wicklow and forests close to Galway and Cork. In Ticnock, approximately 30 acres of forestry is due to be cut down. Ten acres have been taken out so far and another 20 acres are awaiting clear felling pending the building of a road. The ten acres taken would provide approximately 6,000 cubic metres of timber for the building industry, with a sale value of approximately €500,000.

There is no way that compensates for the loss of value for the thousands of people who go to that forest park every year to walk through the woods, cycle, horse ride and use it in a multitude of ways. Coillte must be supported by the Department in recognising that such forest parks so close to cities have a recreational value as well as a timber value. I urge the Department to consider providing compensation directly to Coillte, as it is a commercial company, in recognising that if it is not to take the lumber from those forests it must get some value instead. That is a role which the Minister of State's Department, in conjunction with the Department of Finance and local authorities, should take on board. I ask that the Minister of State's Department enter into immediate negotiations with Coillte in that regard and put a stop to the clear felling until that issue is sorted out.

As a public representative for the area I engaged in a process two or three years ago, with local authorities and Coillte, in an effort to get a joint co-operative approach to how those forests would be developed, recognising that it is not just the responsibility of Coillte to develop them. It requires the local authority to have a role. I regret that Dún Laoghaire-Rathdown Council did not at the time pursue such a line, and it indicated this was because of budgetary reasons. I regret that the council is taking a line solely concentrating on the legal right to access to the forests. That is not a sufficient approach.

We must take a holistic approach, recognising that these forests close to urban areas — in particular these forests in south Dublin but there are possibly other forests in similar circumstances — have a significant recreational value. It makes no sense to take all the trees out in clear felling. It makes much more sense for the Department to recognise their value and support Coillte in an alternative ecological approach to the parks.

**Ms M. Wallace:** I thank Deputy Eamon Ryan for raising this matter. As the Deputy is aware, Coillte Teoranta was established as a private commercial company under the Forestry Act 1988 and day-to-day operational matters are the responsibility of the company. Clear felling is an operational matter for the company and my

Department is involved in this issue in so far as it is responsible for the issue of felling licences under the Forestry Act 1946.

Ticknock forest comprises 148 hectares in total. Coillte has developed a forest management plan for the management of this area, which involves the harvesting and replanting of areas as they mature. This management plan has been the subject of consultation with the local community at a public meeting and on an individual basis following any inquiries regarding the plan. Some 16 hectares are being harvested and a felling licence was issued. As part of the licence application, Coillte consulted all the statutory bodies.

The felling operation is not interfering with the public's use of Ticknock forest except in the immediate vicinity of the harvesting operation where access is restricted for health and safety reasons. I assure the Deputy that the area will be replanted in the spring of 2007. I thank the Deputy for his support of the recreational policies in the forest. I hope today's children will have the opportunity and joy that the Deputy experienced when they watch the trees grow over the next 40 years.

It is important to state that the felling licence was granted following inspection and approval by the forest inspectorate and following consultation with the relevant environmental bodies such as the national parks and wildlife service, fisheries boards and county councils. Under the conditions of the licence, Coillte is obliged to replant trees on any land cleared within 12 months of expiry of the licence in accordance with the general practice of good forestry. Furthermore, as part of the conditions of the licence, all felling and planting operations must be carried out in accordance with the code of best forest practice and the national forest standard published by my Department and operations must also comply with landscape and environmental guidelines laid down by my Department.

The Act establishing Coillte requires it "to carry on the business of forestry and related activities on a commercial basis and in accordance with efficient silvicultural practices". However, Coillte is also highly aware of the value of forestry as a recreational amenity and its role in this regard. As recently as last year, Coillte produced a revised and updated position of its role and policy on recreation following extensive consultation with more than 170 organisations. This policy is contained in its publication Recreation Policy — Healthy Forests, Healthy Nation, which the Minister for Agriculture and Food, Deputy Coughlan was pleased to launch last September.

Coillte has 11 forests parks, most of which provide facilities such as toilets, parking, picnic sites, playgrounds for children, and a shop or restaurant on a seasonal basis. Coillte also has 150 recreation sites, including Ticknock forest, most of which provide basic facilities such as parking, picnic sites and walking trails. I thank the Deputy for his support for recreational policy relating to

forests and thank him for raising the matter. I hope this clarifies the issue.

### School Staffing.

**Dr. Cowley:** I am grateful for the opportunity to raise this important matter on the Adjournment debate. Crossmolina national school, roll number 20125I, will not be included in the school support programme under DEIS. The Minister opened the school on 20 September 2002, and from then until now an enormous amount of great work has been done assisted by the disadvantaged programme. This has enabled the school to reach out and help children at risk.

The success of this ongoing programme, which is provided with resources associated with the concentrated disadvantaged status, is now deemed a reason to exclude the school from the school support programme. However, since that date, the Crossmolina national school catchment area has been directly affected by job losses in Bellacorick power station, Bord na Móna, ESB, Hinnegans and Oasis Europe in Ballina and Volex in Castlebar. Bank of Ireland recently closed its branch in Crossmolina, and four shops have been closed in the town as a direct result of job losses. The area has not created any new jobs since the school was opened.

The school is at a loss to understand, in light of these negative events, how it is losing its concentrated disadvantaged status. Education is the key to breaking the poverty cycle, and the school has appealed this devastating decision to the Department of Education and Science.

How exactly did this come about, and how was the decision made? The principal and teachers have done trojan work to provide a myriad of different activities in the school, and this has done wonders for those who would not otherwise have thrived in the educational system. Against a background of gross neglect and unbalanced treatment in development, it is soul destroying that Mayo schools such as Crossmolina are to lose their disadvantaged status. Other schools would be an Chorráin, Tóin Na Gaoithe and Leath Ardán group of schools.

In the case of Crossmolina, that will mean the loss of the equivalent of two teachers and many other essential school activities, due to the break in the cycle of funding. I received a statement from the Minister on the matter, and I find it confusing and unsatisfactory. It raises more questions than answers with regard to how these schools were removed from the disadvantaged category. The Minister has stated that no school has been told they will lose resources. It would appear that schools will hold on to the resources until the end of 2007 and lose them after that. That is a problem.

There is nothing factual from the Department with regard to the current situation. Schools are in limbo. For schools not in the programme, the basis will be decided by pupil. What does this mean for the school and places such as Crossmol-



[Dr. Cowley.]

ina which has done so badly? What has the Minister in place and how fair is the assessment process?

I note from the Minister that the process is calculated through different factors, such as incidence of lone parents. There are possibly fewer lone parents in Crossmolina. Other factors include ethnic groups such as Travellers. Perhaps there are fewer Travellers in Crossmolina than in Ballinrobe, for example, or inner city Dublin. Perhaps there is less local authority accommodation in Crossmolina than there should be, and there should be much more. People are in private rented accommodation, so I would like the Minister to explain how the process has been calculated.

Employment is another factor, but much employment in the Crossmolina area in particular is of a temporary nature. An example of this is the upgrade of the ESB lines, in which many people in the Crossmolina and Leath Ardán area would be employed in. How and when will this be reviewed? If it occurs years down the line, all these people will have lost their jobs and people will be in a bad situation compared with Dublin which has public sector jobs. There is a great need for a clear commitment that schools will not lose resources. The Minister is implying this but not stating it outright. If schools are not going to lose resources, why has this not be expressed clearly.

The role of the school liaison co-ordinator is crucial. There should be some guarantee that the position will not be lost. I have written to the Minister to ask her to meet the parents and teachers to tell them what is happening and the process has been worked out. I hope the Minister of State will give some clear answers.

**Minister of State at the Department of Education and Science (Mr. B. Lenihan):** I will reply on behalf of the Minister for Education and Science, Deputy Hanafin. I hope the reply will clarify the matters raised by Deputy Cowley.

As the Deputy is aware, the school has not been told it will lose any of the resources it has been in receipt of under the breaking the cycle scheme. The school has simply not been selected for inclusion in a new school support programme, which is aimed at providing even more resources for the most disadvantaged schools in the country. The Minister for Education and Science has, however, made it very clear that Crossmolina national school will keep the extra resources it receives under existing schemes for the 2006-07 school year and that after that it will continue to get support in line with the level of disadvantage among its pupils.

The new DEIS programme will be of huge benefit to schools in Mayo. This particular school has not been selected for the programme but I am sure the Deputy will agree that it is important

to make sure that schools serving the most disadvantaged communities get all the extra support possible, and that he will welcome the extra resources that DEIS will provide for Mayo schools.

An extremely fair process was put in place to identify schools for inclusion in the new programme, with schools being selected by the Education Research Centre for inclusion on the basis of questionnaires filled in by their principals. There was no ministerial interference with that process.

DEIS is designed to ensure that schools serving the most disadvantaged communities in the country benefit from the maximum level of support available. Over the years, no less than eight separate schemes for disadvantaged primary schools have been put in place. Some schools benefited from just one or two of these and others benefited from more. The DEIS initiative is designed to ensure that the most disadvantaged schools benefit from a comprehensive package of supports, while ensuring that others continue to get support in line with the level of disadvantage among their pupils.

No school has been told that it will lose resources. On the contrary, four urban or town primary schools, 59 rural primary schools and six second level schools in County Mayo alone have been invited to benefit from all the resources available from the new programme. Indeed, nearly 20% of all the rural schools invited to benefit from the new programme nationally are in Mayo.

I assure the Deputy that there is no reason for schools that have not been identified for the new programme to worry, as they will continue to get support in line with the level of disadvantage among their pupils. Neither Crossmolina nor any other school in Mayo has been told that it will lose resources as a result of DEIS.

A review mechanism has been put in place to address the concerns of schools that did not qualify for inclusion in the school support programme but regard themselves as having a level of disadvantage which is of a scale sufficient to warrant their inclusion in the programme. This mechanism will operate under the direction of an independent person, charged with ensuring that all relevant identification processes and procedures were properly followed in the case of schools applying for a review. The school to which the Deputy refers has submitted a review request. It is intended that the review process be completed by the end of the current school year.

The Minister thanks Deputy Cowley for raising this matter and for giving her the opportunity to outline the Government's support for schools serving disadvantaged communities in Mayo.

The Dáil adjourned at 5.25 p.m. until 2.30 p.m. on Tuesday, 9 May 2006.



## Written Answers.

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**The following are questions tabled by Members for written response and the ministerial replies as received from the Departments [unrevised].**

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*Questions Nos. 1 to 9, inclusive, answered orally.*

### **Environmental Policy.**

10. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government his views on the provision of greater access to environmental information and on the importance of public participation in the planning process; the work that has occurred to date in respect of the ratification of the Aarhus agreement and the transposition of the two EU Directives associated with the agreement; and when the ratification of the agreement will be complete. [16480/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Ireland signed the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters on 25 June 1998. Progress towards ratification of the Convention is closely aligned with work at EU level. To date, the European Union has adopted two directives as part of the ratification process for the Convention. These deal with public access to environmental information (2003/4/EC) and public participation in certain environmental decision-making procedures (2003/35/EC). Ratification of the Convention will take place after these Directives have been transposed into Irish Law.

Work is continuing in my Department with regard to the transposition of these two Directives and will be completed as soon as possible. The Strategic Infrastructure Bill which is currently before the Seanad also provides additional rights to Environmental NGO's in accordance with the Aarhus Convention and this is part of the overall package of measures being taken to implement the Convention and EU Directive in Ireland.

In addition, I have invited the Information Commissioner to accept the role as Appeal Com-

missioner under the Access to Environmental Information regime and I am happy to report that the Commissioner has agreed to take on this role. When the above work on transposition is completed, the instrument of ratification of the Aarhus Convention will be submitted to the Dáil in accordance with the requirements of the Constitution.

In the meantime, the 1998 Regulations on Access to Information on the Environment, allied to the Freedom of Information code, continue to provide for wide access to environmental information, while our planning system provides for comprehensive public consultation and participation.

### **Waste Management.**

11. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government the progress he has made to date in considering measures to regulate or reform the waste collection system nationally with respect to the findings of the Competition Authority in 2005 that the system was not working well for the consumer; the principal measures he is considering; if he intends to include a national waiver scheme in his plan; and when he intends to present his detailed proposals to the Houses of the Oireachtas. [16462/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I have now finalised my detailed consideration of options for regulating the waste management sector. I intend shortly to bring proposals to Government and it will then be possible to provide fuller details.

I am fully aware of the difficulties which the Competition Authority has identified in the waste collection market. In examining the sector, I have looked at the Authority's concerns, along with a wide range of complex socio-economic and environmental issues which affect both the consumer and the waste industry.

[Mr. Roche.]

The waste sector is changing rapidly, particularly due to the introduction of much higher environmental standards and the implementation of the polluter pays principle. In order to improve our environmental management, my Department has been providing substantial amounts of funding to enable local authorities to provide waste recycling and recovery infrastructure which will assist households to reduce the amount of waste which they send to landfill. The increased access to recycling facilities, coupled with the introduction of pay-by-use charging, has assisted households to reduce their levels of waste disposal and increase their control over their waste management charges. As a measure of its success, by 2004 we were recycling over 33% of our municipal waste compared to only 9% in 1998.

Recent years have also seen rapid growth and consolidation in the private waste management industry. This has raised a number of issues. The dual role of local authorities as both competitor and regulator may distort competition while, as noted by the Competition Authority, there may also be a tendency for individual waste collectors to acquire dominant positions in particular areas. In such cases, the market could not be regarded as working well for consumers. It follows that the current regulatory framework needs to be reappraised.

In relation to lower income households, my Department has asked local authorities to engage with private sector waste collectors to ensure that households are offered a range of periodic payment options so that they do not have to make a lump sum payment. It is also open to waste collectors to provide waivers to individuals and households where they deem it appropriate. It is not proposed to introduce a national waiver scheme. The question of whether there may be public service obligations relating to the waste sector and, if so, how these could be met, has been included in my consideration of possible measures to regulate the sector.

12. **Mr. Deenihan** asked the Minister for the Environment, Heritage and Local Government his views on remarks that a nominee of his to the advisory committee of the Environmental Protection Agency forwarded a letter from the managing director of an illegal dump addressed to him to the Environmental Protection Agency's deputy director-general; and if he will make a statement on the matter. [16616/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The correspondence in question is a letter from the managing director of a company which purchased a site in Co. Wicklow which had previously been used to illegally deposit waste. The site in question is the subject of an application to the Environmental Protection Agency (EPA) by the company concerned for a waste licence. The EPA recently

issued a draft negative decision. The letter sought to provide me with an update in regard to this matter. As it was submitted for this stated purpose and did not seek any intervention by me or my Department, a standard acknowledgement was issued by my Department. No further reply was made, nor did my Department correspond or communicate with EPA on the matter.

It was subsequently reported in a newspaper that this correspondence had been sent to me by a person whom I had nominated as a member of the EPA Advisory Committee. This was incorrect and the error has been acknowledged by the newspaper concerned. In fact, the nominee forwarded a copy of the correspondence, without reference to me, to the Deputy Director General of the EPA. In accordance with normal practice the Agency placed a copy of the correspondence on the public file dealing with the licence application which is available for inspection by any person.

The Agency's Advisory Committee has the responsibility of making general recommendations to the Agency and to the Minister in relation to functions of the Agency. The Committee is entirely a consultative body and is not involved in any individual EPA decisions.

#### **Nuclear Safety.**

13. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government when the national emergency plan for an accident at the nuclear plant at Sellafield was last tested; his views on whether it should be reviewed in view of the recent dramatic presentation of such an accident and its consequences; and if he will make a statement on the matter. [16518/06]

38. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government his views on whether the recent RTÉ drama, *Fallout*, represents an accurate picture of the likely effect of a major explosion at the Sellafield plant; and if he will make a statement on the matter. [16612/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 13 and 38 together.

The Radiological Protection Institute of Ireland (RPII), which is the national authority with responsibility for advising the Government on all matters relating to nuclear safety and the hazards associated with ionising radiation, has advised that the scenario depicted in the RTE drama, *Fallout*, is not realistic and greatly exaggerates the amount of radioactivity that could reach Ireland.

The RPII was particularly concerned that the drama appeared to suggest that evacuation of Dublin would be the appropriate response to an accident at Sellafield. Under the Government's National Emergency Plan for Nuclear Accidents,

it is not considered that an accident at a nuclear installation abroad would give rise to the need for evacuation of people in Ireland. International best practice indicates that evacuation is only ever recommended to prevent people suffering immediate health effects. In Ireland, due to our distance from any nuclear facilities and the type of accident that could possibly occur, radiation levels arising from an accident at such facilities would never be sufficiently high to give rise to these effects.

As I have indicated, the Irish Government has in place a National Emergency Plan for Nuclear Accidents designed to respond to a major emergency at a nuclear installation in the UK or elsewhere that could result in radioactive contamination reaching Ireland. The Plan conforms to best international standards and practice as established by the International Atomic Energy Agency. It is continuously reviewed and updated in the light of technological, scientific and medical advancements. Furthermore, a major exercise of the Plan takes place every few years in order to test its effectiveness and to enhance emergency preparedness. The most recent exercise in 2005, called "INEX 3", was carried out under the guidance of the OECD's Nuclear Energy Agency. This exercise was mainly concerned with testing decision making in relation to agricultural countermeasures and food restrictions following a simulated nuclear accident in the UK. A report on this exercise will be published in due course.

In addition to these major tests, aspects of the Plan are tested on a more frequent basis. For example, communications with the European Commission notification centre are tested daily.

An information booklet entitled National Planning for Nuclear Emergencies, setting out the principal features of the Plan, was produced and circulated by my Department in 2002 to over 400 public information centres throughout Ireland, i.e. libraries and Citizen's Information Centres. The most up to date version of the Booklet is dated December 2005 and is available on my Department's website at [www.environ.ie](http://www.environ.ie), and on that of the RPII at [www.rpii.ie](http://www.rpii.ie). An information leaflet, summarising the main elements of the Booklet, was also distributed to every household in the country in 2002. This information leaflet has also been recently updated and is available on my Department's website; it is currently being printed and will also be available shortly through Libraries and Citizen's Information Centres.

Given the continuous review, updating and regular testing of the Plan and the international assistance that would be available under the international Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, I am satisfied that the Plan is robust and that the country is ready to respond effectively to any such accident or emergency.

### **Private Rented Accommodation.**

14. **Mr. Crowe** asked the Minister for the Environment, Heritage and Local Government the number of reports he has received from the Private Residential Tenancies Board on registration of landlords since the enactment of the Residential Tenancies Act 2004. [16553/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** My Department maintains close ongoing contact with the Private Residential Tenancies Board (PRTB) regarding progress on the implementation generally of the provisions of the Residential Tenancies Act 2004. An update on the number of registration applications processed by the PRTB is provided to my Department generally on a monthly basis.

### **EU Directives.**

15. **Ms O'Sullivan** asked the Minister for the Environment, Heritage and Local Government if funds will be provided by his Department in order to conduct research into the efficacy and cost effectiveness of the various measures that could possibly be taken to improve water quality in order that sectors such as farmers, industry and the forestry sector will be in a position to meet the various requirements under the Water Framework Directive and the Phosphorus Regulations, as recommended by the Environmental Protection Agency. [16466/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** A comprehensive programme of activities is currently underway by my Department, the EPA, local authorities and other relevant bodies for full implementation of the Water Framework Directive. To date, all implementation deadlines set by the Directive have been achieved on time by Ireland. Further implementation requires the establishment and operation of a comprehensive monitoring programme by January 2007 and the adoption of river basin management plans by June-2009. A draft of the plans must be available for public consultation by June 2008. The plans must set out the environmental objectives to be achieved during the 6-year plan period together with the programme of measures which will be required to deliver on these objectives. Cost effectiveness is an intrinsic part of the planning process for river basin management. Cost analysis will be used in the development of the programmes in order to make judgments on the most effective and efficient measures to be adopted.

The implementation of the Water Framework Directive is being significantly supported by river basin district projects, led by local authorities, together with a wide range of research and other projects funded under the National Development Plan. INTERREG funding is also being applied in relation to cross-border projects. My Depart-

[Mr. Roche.]

ment has committed 100% funding amounting to some €50 million to date to these activities.

The achievement of actual improvements in water quality will be significantly supported by the ongoing investment under the Water Services Investment Programme and by implementation of the Nitrates Action Programme, which will be key elements within the overall programme of measures under the Water Framework Directive. Some €2 billion has been invested since 2000 on the provision of new and upgraded waste water services under my Department's Water Services Investment Programme. Significant funding is also being provided by my colleague the Minister for Agriculture and Food under the Farm Waste Management Scheme to support investment by farmers for compliance with the Nitrates Action Programme. Implementation of the Phosphorus Regulations will be incorporated and brought forward within the overall measures for implementation of the Water Framework Directive.

#### Planning Issues.

16. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government if his Department will be supporting the energy efficiency initiative taken by Fingal County Council by recommending that additional funding be allocated by the Department of Finance, in particular for the recent Castlelands local area plan in Balbriggan; and if he will make a statement on the matter. [16649/06]

65. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government if, in view of rising oil prices he will recommend that all local area plans call for construction energy efficiency standards in line with those adopted by Fingal County Council for Cappagh, Ballymun, Balbriggan north west, Balbriggan south east and Dún Laoghaire Rathdown for Kiltarnan. [16647/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 16 and 65 together.

Minimum thermal performance and insulation standards for new buildings are prescribed by Part L (Conservation of Fuel and Energy) of the national Building Regulations. These standards have been progressively increased since they were first introduced in 1991. The standards were last increased for new dwellings with effect from 1 January 2003 and for new non-domestic buildings with effect from 1 July 2006. The next review of standards for dwellings will take place by 2008.

I welcome any initiatives taken locally which enhance sustainable design in proposed developments and which are not in contravention of these standards. Where my Department receives proposals from local authorities, including Fingal County Council, for the construction of social and

affordable housing schemes involving the provision of additional energy efficiency measures, such proposals will be considered on their merits from the point of view of efficacy and value for money/cost benefit.

I recently published for public consultation draft Guidelines for Planning Authorities on development plans. The guidelines deal with the relationship between development plans and local area plans, on which more detailed guidance will be issued. The question of including advice on standards for the design of development and structures will be considered in that context.

#### EU Directives.

17. **Ms Lynch** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that compact fluorescent bulbs, which use 80% less electricity than conventional light bulbs, are subject to a 50 cents EMF charge under the WEEE Directive while conventional, less energy-efficient bulbs are not subject to such a charge; if he has satisfied himself that with a situation whereby consumers are charged extra for choosing an environmentally friendly product; and if he will make a statement on the matter. [16452/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The WEEE Directive allows producers to show the cost of recovering and recycling "historic" waste i.e. waste arising from electric and electronic products put on the market before 13 August 2005. These costs are referred to as Environmental Management Costs — or EMCs. They are not imposed by, or remitted to, the Government, but are paid by producers to the two collective compliance schemes operating in Ireland, WEEE Ireland and the European Recycling Platform who are operating a Producer Responsibility Initiative.

The EMCs currently applied show the costs of recycling based on data submitted by producers to the WEEE Register Society Limited, the industry-based national WEEE registration body, which has an independent Committee of Management. The WEEE Register assessed and approved the EMCs. The EMCs are currently under review and it will be for the WEEE Register to validate any revisions. My Department has no function in this regard.

Conventional filament light bulbs are specifically excluded from the scope of the WEEE Directive and its provisions do not apply to them. Compact fluorescent bulbs, however, are within the scope of the Directive and are therefore subject to the display of EMCs. Although my Department supports the use of energy efficient light bulbs, it must be borne in mind that, for waste management purposes, these bulbs are classified as hazardous and there is an associated cost with their treatment and recycling. The EMC



amount of 50 cent on a compact fluorescent bulb reflects the cost of the environmentally sound management of these items as validated by the WEEE Register; however, this in common with the other EMCs is the subject of the current review referred to above.

The WEEE scheme has now been operating for almost nine months and the real environmental benefits of this new system for consumers and the environment are very apparent. WEEE is now being collected from over 180 collection points nationwide. All indications are that significant quantities of this waste type are being returned for recycling. In the period from 13 August 2005 to end of February this year 14,587 tonnes were collected nationally. This is the equivalent to an annual collection rate of 6.7Kg per person and is particularly impressive against our national target under the WEEE Directive to reach 4Kg per person by 2008. This figure also compares very favourably with the 5,510 tonnes of this waste type that was recovered in the whole of 2004 and indicates widespread public support for the implementation of the Directive.

#### Recycling Policy.

18. **Mr. Gogarty** asked the Minister for the Environment, Heritage and Local Government his views on the fact that almost three quarters of recyclable material is recycled abroad; and if he has satisfied himself with the recycling certification system of exported recyclable material, particularly material ultimately exported outside the EU. [16643/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The export of waste is regulated by local authorities, in accordance with Council Regulation (EEC) No. 259/93 of 1 February 1993 on the supervision and control of waste within, into and out of, the European Community. Shipments of waste for recovery which are in compliance with the EU Waste Shipment Regulation are permissible to non-EU destinations subject to any restrictions are imposed by that Regulation. Efforts to verify destinations are being made as part of international projects under the aegis of IMPEL — the European Enforcers Network — and also as part of ongoing enforcement actions by the Irish competent authorities. The revised waste shipment Regulation — which will come into operation during the latter half of 2007 — will give stronger powers to competent authorities of export to stop shipments in order to prevent unauthorised recovery.

While there has been recent progress in the provision of more infrastructure within Ireland to process materials recovered for recycling, for example in the development of new facilities to process waste electrical and electronic equipment, it should be noted that clean segregated materials are a sought after resource which are freely traded under EU and international law.

This is supported by the Organisation for Economic Co-operation and Development (OECD) Decision of C(92)39 Final on the Control of Transboundary Movements of Wastes Destined for Recovery Operations which notes that the recovery of valuable materials and energy from wastes is an integral part of the international economic system and that well established markets exist for, and can contribute to, the collection and processing of such materials within OECD member countries.

While international trade in waste is consistent with Government policy insofar as it supports improved performance in recycling, the Government also recognises the value of a more developed recycling infrastructure in Ireland. To this effect, a Market Development Group was established by Government in 2004 with a view to identifying market opportunities for materials recovered for recycling. A Market Development Programme will be developed by the Group in 2006.

#### Building Regulations.

19. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government his views on recent media reports that the implementation of the Energy Performance in Building Directive will be delayed due to staff shortages; and if he will make a statement on the matter. [16594/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I am aware of the report referred to in the Question which could have conveyed the impression that the introduction of energy performance certificates for new dwellings with effect from 1 January 2007 might be delayed by a shortage of building energy assessors. I have no reason to believe that this will be the case.

It is estimated that up to 2,000 building professionals will have to be trained as building energy assessors, on a phased basis, for the BER certification of both new and existing buildings by 2009. I understand that Sustainable Energy Ireland has entered into discussions with relevant educational, professional and training interests, with a view to establishing and delivering the necessary training. The first phase of this training is planned to take place in the second half of this year.

In late 2005, I made amending Part L (Conservation of Fuel and Energy) Building Regulations which provide the legal basis for the introduction of a building energy performance methodology for new dwellings, whereby performance will be measured according to the annual volume of CO<sub>2</sub> emissions generated by heating dwellings. This will apply to new dwellings commencing on or after 1 July 2006; with a transitional exemption of new dwellings for which planning permission is applied for on or before

[Mr. Roche.]

30 June 2006 provided substantial work has been completed by 30 June 2008. This will provide a platform for the introduction of a building energy rating (BER) system, based on this performance, with effect from 1 January 2007.

I will shortly publish the 2006 edition of Technical Guidance Document L on how to comply with the amended Part L. This will be followed by the publication by SEI of software to help designers and builders to produce building energy ratings based on the new methodology.

#### Departmental Reports.

20. **Mr. McEntee** asked the Minister for the Environment, Heritage and Local Government if the Quigley Report has been implemented in full; and if he will make a statement on the matter. [16632/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** In relation to the main response by the Government to the Quigley Report, I refer to the reply by the Taoiseach to Questions Nos. 1 to 4 of 6 December 2005. In addition the Department of Finance has issued, in September 2005, revised and consolidated procurement guidelines for the engagement of consultants.

In so far as recommendations specifically affecting my Department are concerned, procurement guidelines and practices in the Department have been reviewed and a set of consolidated guidelines has been circulated to all staff. Revised procedures have been put in place to strengthen monitoring and control of procurement and a briefing session has been held for staff engaged in procurement both in Dublin and regional offices. Reference material on procurement has been published on to the Departments intranet and is readily available to all staff. Additional resources have also been allocated to the Departments Internal Audit Unit and to its Organisation Unit which coordinates advice and monitoring in relation to the Department's procurement activities.

I am confident that these arrangements will enable my Department to achieve the improvement and consolidation of its procurement arrangements recommended by the Quigley Report.

#### EU Directives.

21. **Ms Enright** asked the Minister for the Environment, Heritage and Local Government the number of European Directives for which he is responsible and which have been transposed into Irish law; and if he will make a statement on the matter. [16620/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** My Department

maintains an intensive programme in relation to the transposition and implementation of EU environmental legislation some 200 items of which, including more than 140 Directives, have by now been transposed in this country.

#### Planning Issues.

22. **Mr. G. Murphy** asked the Minister for the Environment, Heritage and Local Government if he consults regularly with the Irish Planners Institute in relation to planning issues generally; and if he will make a statement on the matter. [16596/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The Irish Planning Institute are one of the key stakeholders in the planning system. They are often consulted by my Department on issues of the day and their views are considered carefully. For example, the IPI have made a comprehensive submission on my Department's Draft Development Management Guidelines, which will be fully considered before the Guidelines are finalised. Last week I addressed the IPI annual conference and launched the draft guidelines on development plans for consultation.

#### Water Quality.

23. **Dr. Upton** asked the Minister for the Environment, Heritage and Local Government his views on the trend highlighted in the Environmental Protection Agency's third National Implementation Report on the Phosphorus Regulations, which shows that there was a marked decline in the 2001-2003 period in the number and percentage of river stations falling into the Q5 category on the biological water quality scale the Q-index; if his attention has been drawn to the fact that this is part of a continuing decline; and if he intends to provide direction and resources to local authorities to identify and rectify the causes of this decline as such action has been identified in the report as a matter of urgency. [16464/06]

45. **Mr. M. Higgins** asked the Minister for the Environment, Heritage and Local Government if he intends to provide resources and direction for local authorities to carry out the numerous recommendations set out in the Environmental Protection Agency's third National Implementation Report on the Phosphorus Regulations; and if he will make a statement on the matter. [16465/06]

109. **Ms Harkin** asked the Minister for the Environment, Heritage and Local Government his views on the analysis contained in the recent EPA report on water quality that agriculture is a more significant contributor to river and lake pollution than sources such as local authorities; and if he has satisfied herself with the method of

analysis and measurement used to identify causes of pollution. [12362/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 23, 45 and 109 together.

The Government is committed to tackling water pollution from all sources. The Local Government (Water Pollution) Act 1977 (Water Quality Standards for Phosphorus) Regulations 1998 provide for specified improvements in water quality conditions in rivers and lakes based on phosphorus concentrations or related water quality classifications. The Regulations require that local authorities and the EPA take all such steps as may be appropriate in the discharge of their functions to secure compliance with the specified water quality standards.

The Phosphorus Regulations National Implementation Report 2005 was published by the EPA on 22 March 2006. This is the third such report. It identifies a general improvement in levels of compliance with phosphorous water quality standards. These levels have increased by 3.4% since the mid-1990s to the current 63.4% compliance rate nationally. However, the report identifies a continuing decline in the number and percentage of river stations of the highest biological water quality and this aspect is of particular concern. The loss of such waters is a threat to biodiversity, especially to such sensitive species as the Freshwater Pearl Mussel, which is protected under Irish and EU law. This aspect emphasises the need for strengthened measures to protect quality.

A comprehensive range of measures is being pursued by my Department, the EPA, local authorities and other agencies to protect and improve water quality in the context of implementation of the Water Framework Directive, the Urban Waste Water Treatment Directive, the Nitrates Directive and related EU legislation. Agriculture remains the most significant source of nutrient pollution of waters, representing some 73% of all phosphorus and 82% of all nitrates inputs to waters; there remains the need to tackle agricultural source pollution on a broad systematic basis. The European Communities (Good Agricultural Practice for the Protection of Waters) Regulations 2005 which give legal effect to Ireland's Nitrates Action Programme came into effect generally on 1 February 2006. The Regulations apply to all farms. Progress will be monitored on an ongoing basis by reference to water quality and to agricultural practices.

With regard to local authority services some €2bn has been invested under my Department's Water Services Investment Programme on the provision of new and upgraded wastewater infrastructure since 2000. This has made a significant contribution to the protection and improvement of Ireland's water quality and has resulted in:

- provision of secondary wastewater treatment capacity for a population equivalent of 3 million, seven times more than under the previous National Development Plan,
- an increase from 25% to 90% in Ireland's compliance with the treatment standards required under the EU Urban Wastewater Treatment Directive,
- a reduction of 45,000 tonnes per annum (123,000 kilograms per day) in the volume of polluting discharges to river, lake and sea waters.

Where new municipal wastewater infrastructure is required to resolve identified pollution problems, proposals by local authorities are given a high priority under my Department's Water Services Investment Programme.

I am providing some €875m to local authorities in 2006 through general purpose grants from the Local Government Fund. This represents an increase of 7% over the level provided in 2005 and I am satisfied that this funding, together with the income available to local authorities from other sources, will enable them to provide a satisfactory level of services. It is, of course, a matter for each local authority to prioritise its expenditure within the resources available to it and to operate its services as efficiently and effectively as possible.

Overall I am confident that we are tackling the issue of water quality on a broad front and that we will see significant improvements in water quality over the coming years.

#### **Election Management System.**

24. **Mr. Hayes** asked the Minister for the Environment, Heritage and Local Government if the enumerators employed to conduct the Census will be used to bring the electoral register up to date; and if he will make a statement on the matter. [16617/06]

72. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government if he has had discussions with the various local authorities with a view to enabling An Post to undertake the updating of the voters register, having particular regard to the need to ensure that a body with the nationwide network of An Post should be given the job which would in fact be complimentary to services already undertaken through the post office and delivery service; and if he will make a statement on the matter. [13816/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 24 and 72 together.

In law, preparation of the Register of Electors is a matter for each local registration authority. It is their duty to ensure, as far as possible and with



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the cooperation of the public, the accuracy and comprehensiveness of the Register.

Last week, I announced a package of measures, to be implemented over the coming months, aimed at assisting registration authorities improve the Register. The measures include the use of census enumerators or other temporary personnel to support local authorities in preparing the next Register, as part of an intensive registration campaign to be conducted this summer. Related to this, I am prepared to make increased, ring fenced financial resources available to local authorities this year to update the Register. An early start will be made to the local authority Register campaign for 2007/8 and there will also be an intensive information campaign.

My Department will issue updated and consolidated Guidance to ensure that all local authorities work to the same template. The Guidance will tell local authorities to make maximum use of databases available to them to crosscheck the Register.

New IT based arrangements to delete deceased persons from the Register have also been put in place and better 'on-line' facilities to help people check the Register, including an additional on line facility through my Department's website, will be introduced.

Finally, in relation to voter fraud, I am looking for the controls at all polling stations at election time to be strengthened with updated guidelines in this area before the next Election. I believe this package of measures is the most practical, realistic and sensible way forward. While there are no specific proposals related to the postal service, I will continue to keep issues related to the Register under close review.

### **Water and Sewerage Schemes.**

25. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government his views on whether that an independent inquiry should be conducted into the issues which have arisen at the Ringsend sewage treatment plant, following the assertion that it will take at least another 18 months to solve the odour problems at the plant. [16471/06]

91. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government his views on the continuing failure of Dublin City Council and the contractors responsible for the Ringsend sewage treatment plant to solve the long running odour problems associated with the treatment plant; and his views on whether or not the experience at Ringsend will affect future decisions regarding the use of private public partnerships in the provision of public facilities and services, particularly for sewage treatment and drinking water treatment. [16470/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 25 and 91 together.

During 2005 Dublin City Council engaged independent consultants to undertake an extensive technical examination of the processes at the Ringsend Waste Water Treatment Plant and to identify all possible sources of odours. Following this examination a programme of works is to be carried out by the contractor operating the plant on behalf of the City Council. I understand that the first phase of the works, which will eliminate the potential for odour releases from the Thermal Hydrolysis Plant, is currently in progress and is due for completion in June 2006. Other works, including covering of settlement tanks and inlet and outlet channels, that will eliminate the remaining potential odour sources are also underway and will be fully complete by Summer 2007.

The Ringsend plant was procured by Dublin City Council under a Design/Build/Operate contract and as a Public Private Partnership. Notwithstanding present difficulties, my Department is satisfied that this method of procurement offers worthwhile advantages over traditional approaches in terms of, inter alia, technical innovation, accelerated delivery of infrastructure and greater cost certainty.

I am of course concerned about the adverse consequences of the odour issues at the Ringsend plant for local residents and I am assured by the City Council that every effort is being made to implement the remedial works that will resolve the problem with the minimum of delay. Any assistance my Department can give the Council in that regard will be provided.

The priority at this stage is to put in place effective remedies to the odour issues arising at the Ringsend Treatment Plant. I do not see a need for any additional inquiries or examinations to those already under taken by the City Council.

### **Greenhouse Gas Emissions.**

26. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government if he will enter into discussions to direct and encourage in every possible way local authorities to set targets for the reduction of their CO2 emissions; and if he will make a statement on the matter. [16607/06]

32. **Ms O. Mitchell** asked the Minister for the Environment, Heritage and Local Government if he will meet with local authorities to encourage the use of low emission and environmentally friendly vehicles; and if he will make a statement on the matter. [16608/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 26 and 32 together.



Local authorities have an important role in contributing to reduced greenhouse gas emissions, through their functions in relation to planning, transport, housing and waste disposal. National targets for reduced greenhouse gas emissions in these sectors are set out in the National Climate Change Strategy. While it is not proposed to direct local authorities to set targets for the reduction of greenhouse gas emissions on a functional area basis, it is open to each local authority to set their own targets for emission reductions.

In relation to the use of low emission and environmentally friendly vehicles, I do not have any plans to meet with local authorities specifically in relation to this matter. My Department already issues broad advice and information to local authorities on the inclusion of environmental criteria in their tendering processes, which are subject to obligations under the EU public procurement directives.

The Department of Finance, which has responsibility for national public procurement policy, has issued comprehensive information on all aspects of public procurement including guidance for public bodies on how environmental considerations may be taken into account and promoted in public procurement. Furthermore, the EU Handbook on Environmental Public Procurement, published in October 2004, sets out how environmental considerations, including the procurement of cleaner, more fuel-efficient transport services, can be integrated into public procurement decisions.

#### Departmental Schemes.

27. **Ms Enright** asked the Minister for the Environment, Heritage and Local Government when the €6 million in extra funding for sports, cultural and community facilities announced recently by him will be made available; and if he will make a statement on the matter. [16619/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I recently launched the new €6 million Social and Community Facilities Capital Scheme. This scheme, which will fund targeted capital developments, carried out through local authorities, is designed to enhance communities, address disadvantage and improve social cohesion at a local level.

The new scheme will be in addition to existing grants and supports allocated to local authorities to support community development and tackle social exclusion. Projects by local authorities, or from the community in partnership with a local authority, are eligible under this scheme and new initiatives are particularly welcome.

Local authorities have been invited to submit proposals to my Department by 19 May 2006. All projects will be appraised against assessment criteria which are set out in guidelines issued to local authorities. It is envisaged that allocations

will be made to successful projects by the middle of this year.

#### Social and Affordable Housing.

28. **Mr. Ferris** asked the Minister for the Environment, Heritage and Local Government the targets, in respect of social housing which he is proposing should be included in the new National Development Plan 2007-2013 which is being prepared. [16556/06]

92. **Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government his views on demands to have the NESC report recommendations for a net increase of 73,000 units of social housing included in the National Development Plan 2007 — 2013 which is being prepared. [16554/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** I propose to take Questions Nos. 28 and 92 together.

The preparation of the National Development Plan 2007-2013 (NDP) is being coordinated by the Department of Finance and a high level steering group, chaired by that Department and comprising senior officials of other relevant Departments, has been established to oversee drafting. The housing material of the NDP is being drafted by my Department and while the final content and focus of the overall Plan will be a matter for decision by Government, priorities for investment in housing will take account of a number of factors including the key policy challenges highlighted by the NESC report, the results of the 2005 Housing Needs Assessment and the policy framework set out in the document Housing Policy Framework — Building Sustainable Communities which was launched in December 2005.

#### Building Regulations.

29. **Mr. G. Mitchell** asked the Minister for the Environment, Heritage and Local Government if he will introduce new building guidelines for larger developments which will include CHP and district heating; and if he will make a statement on the matter. [16609/06]

101. **Mr. McGinley** asked the Minister for the Environment, Heritage and Local Government if he will introduce nationally applicable building guidelines which will require a significant percentage of energy needs to be supplied by renewable energy; and if he will make a statement on the matter. [16604/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 29 and 101 together.

The EU Energy Performance of Buildings Directive (2002/91/EC of 16 December 2002)

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requires that the economic, environmental and technical feasibility of alternative energy systems—including CHP, district heating and renewable energy systems—should be assessed during the design of large buildings over 1,000 m<sup>2</sup>. This requirement is being transposed by Section 5 of the Building Control Bill 2005, which is now before the House. Sustainable Energy Ireland is at present developing software to help designers carry out relevant assessments.

### Biodiversity Plans.

30. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government the number of Government Departments which have dedicated biodiversity units; the number and names of local authorities that have appointed heritage officers and dedicated biodiversity units

as set down in the National Biodiversity Plan 2002-2007; the number of Government agencies and Departments which have drawn up sectoral biodiversity action plans; and if he will make a statement on the matter. [16451/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** A Biodiversity Unit has been established within my Department and a biodiversity plan for my Department will be developed in the coming year. Each Government Department is responsible for their own implementation of the National Biodiversity Plan, including the recommendations regarding dedicated biodiversity units and sectoral action plans.

The table indicates the local authorities that have appointed Heritage Officers and where appropriate, separate Biodiversity Officers, according to the latest information available to my Department.

Local Authorities	Heritage/Biodiversity Officer
Cavan County Council	Ann Marie Ward
Cork City Council	Niamh Twomey
Cork County Council	Sharon Casey
Clare County Council	Congella McGuire, Elaine Keegan (Biodiversity Officer)
Dublin City Council	Donncha Ó Dúlaing, Siobhán Egan (Biodiversity Officer)
Donegal County Council	Joe Gallagher
Dún Laoghaire Rathdown County Council	Tim Carey
Fingal County Council	Gerry Clabby Hans Visser (Biodiversity Officer)
Galway City Council	Jim Higgins
Galway County Council	Marie Mannion
Kerry County Council	Úna Cosgrave
Kildare County Council	Bridget Loughlin
Kilkenny County Council	Dearbhala Ledwidge
Laois County Council	Catherine Casey
Limerick County Council	Tom O'Neill
Longford County Council	Lise McDaniel
Louth County Council	Brendan McSherry
Mayo County Council	Déirdre Cunningham
Meath County Council	Loretto Guinan
Monaghan County Council	Shirley Clerkin
North Tipperary County Council	Siobhán Geraghty
Offaly County Council	Amanda Pedlow
Roscommon County Council	Nollaig Mckeeon
Sligo County Council	Siobhán Ryan
Waterford County Council	Dominic Berridge
Wicklow County Council	Déirdre Burns
Westmeath County Council	Bernie Guest

### Recycling Policy.

31. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government the main findings identified to date as the barriers to the use and marketing of recyclable material by the Market Development Group set up by the Department of the Environment in 2004. [16642/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** One of the main barriers to an improved and sustainable recycling performance is the lack of stable and economically attractive markets and outlets for recyclable materials and products manufactured from recycled products. The need for the establishment of a Market Development Group, which would

oversee the development of a Market Development Programme, was outlined in the Delivering Change policy statement and the Agreed Programme for Government.

The Market Development Group, established in July 2004, has an independent Chairperson and comprises representatives from the Environmental Protection Agency, Enterprise Ireland, the National Standards Authority of Ireland, the Irish Business and Employers Federation, the Irish Waste Management Association, the Small Firms Association, the Irish Small and Medium Enterprises Association, the City & County Managers' Association, the Clean Technology Centre, the Department of Enterprise, Trade and Employment, and the Department of the Environment, Heritage and Local Government. Enterprise Ireland provides secretariat to the Group.

The Programme which the Group is developing will identify new applications and markets for recyclable material and secondary recycled products. The Group has been asked to identify barriers to the use and marketing of recyclable material and to develop strategies to address these.

The work of the Group is currently focusing on three priority waste streams: paper, plastic and compost. To facilitate this, the Group has been subdivided into a steering sub-group and three materials sub-groups, each meeting independently and reporting back to the plenary sessions. Among the key issues to be addressed are promoting stable demand for recovered materials, supporting the achievement of economies of scale in the production of products made from recycled materials and the need for more recycling infrastructure in Ireland to reduce reliance on overseas markets. Following on from the work of this Group, my Department hopes to develop and publish a Market Development Programme later this year.

*Question No. 32 answered with Question No. 26.*

#### **Control of Dogs.**

33. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government the steps he intends to take to control the number of stray domestic pets, particularly dogs and cats; and if he will make a statement on the matter. [16623/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The Control of Dogs Acts 1986 and 1992 place statutory responsibility for dog control and licensing services on local authorities. The implementation of the Acts is vested in local authorities who have power to appoint dog wardens, to provide shelters for stray and other dogs, to impose on-the-spot fines for a number of offences and to take

prosecutions. Local authorities may also make bye-laws in relation to the control of dogs within their functional areas.

The number of stray dogs being re-homed each year has increased from 4,681 in 1998 to 7,939 in 2004. Figures for 2005 are being compiled at present but it is estimated that in excess of 8,700 stray dogs were re-homed in 2005.

Certain provisions of the Control of Dogs Act 1986 may be extended, by regulations, to other species of domesticated animals, including cats. In the absence of reliable data regarding the number of stray cats, and of appropriate solutions, it is not proposed to place an additional responsibility on local authorities that might dilute their control efforts in relation to dangerous and stray dogs which are generally viewed as presenting greater problems than stray cats. However, where a local authority considers it appropriate it may assist a body which is endeavouring to reduce, in a humane manner, the problems caused by stray cats.

#### **Local Authority Staff.**

34. **Mr. McEntee** asked the Minister for the Environment, Heritage and Local Government the total number of persons employed in local authorities; and if he will make a statement on the matter. [16633/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Based on information supplied by local authorities, the total number of persons employed by the authorities at 31 March 2006 was 34,192 (whole time equivalents), including 1,371 seasonal/temporary staff the majority of whom are engaged for periods not exceeding 12 months.

#### **Nuclear Plants.**

35. **Mr. G. Mitchell** asked the Minister for the Environment, Heritage and Local Government if he has satisfied himself that the operators of the nuclear plant at Sellafield have changed their accounting and reporting procedures to ensure that nuclear materials are not diverted from the peaceful uses following the European Commission's formal warning to the British Nuclear Group Sellafield; and if he will make a statement on the matter. [16610/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** On 15 February 2006, the EU Commission issued a warning to the operators of Sellafield, British Nuclear Group Sellafield Limited, (BNG SL) under Article 83(1) (a) of the Euratom Treaty. The decision to issue the warning was the result of a series of inspections carried out by Commission inspectors at the Sellafield plant. The Commission also requested the Group to implement the appropriate remedies within the periods specified in the warning

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and to ensure that it had quality systems in place for accounting for nuclear material.

My Department is not aware to date of what, if any, actions may have been taken by the operators of Sellafield in response to the warning issued by the Commission. The issues raised are a matter of EU Commission competence under the Euratom Treaty. In this regard, I met the EU Commissioner for Energy with responsibility for nuclear energy and protection (Andris Piebalgs), on the 31 January last, specifically to impress upon the Commission the strength of Irish Government concerns in relation to the continued operation of the Sellafield Nuclear Plant. I set out to Commissioner Piebalgs the Irish Government's expectation that the Commission will exercise its competence robustly in respect of the continued operations at Sellafield, a situation which we believe has not been the case heretofore.

I will continue to monitor the EU Commission's action in relation to its obligations under EU law regarding Sellafield and I can assure the House that the Commission is under no misapprehension regarding the priority and concern accorded to this issue by the Irish Government.

36. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government if he will actively oppose new nuclear plants which may be proposed for the west coast of Great Britain; and if he will make a statement on the matter. [16611/06]

67. **Mr. Penrose** asked the Minister for the Environment, Heritage and Local Government if he has received an assurance from the Northern Secretary, Mr. Hain, that under the UK energy review there will be no siting of a new nuclear power plant on the island of Ireland. [16522/06]

73. **Mr. Wall** asked the Minister for the Environment, Heritage and Local Government if he has had an opportunity to discuss with his EU counterparts, the UK energy review and the possibility of additional nuclear power plants being considered as part of that review; and whilst the sourcing of and nature of energy supplies is a matter for each State within the EU, his views on whether pressure from his fellow EU Ministers might influence the direction of the British decision. [16521/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 36, 67 and 73 together.

Following the recent announcement regarding a review of the United Kingdom's progress under the medium and long-term Energy White Paper (2003) goals, a consultation document *Our Energy Challenge: Securing clean, affordable*

energy for the long term was launched on 23 January 2006 by the UK Minister of State for Energy. While the UK Energy White Paper in 2003 concluded that replacement nuclear build was an unattractive alternative, the current consultation document states that the forthcoming review will examine whether recent increases in energy prices have changed that assessment. It will also examine other issues in relation to nuclear including the important issue of waste.

My Department, in conjunction with the Radiological Protection Institute of Ireland, has engaged in this consultation process. Its submission, which covers a number of issues of concern to Ireland, reiterates the point made by the Minister for Foreign Affairs at a recent meeting in London with the Northern Secretary that the Irish Government would be strongly opposed to the building of any new nuclear plants on the island of Ireland. Indeed, the Northern Secretary has also publicly acknowledged there was no support north or south for the siting of a nuclear reactor on the island of Ireland. In relation to the siting of possible nuclear reactors on the west coast of the United Kingdom, the UK Government is keenly aware of Irish Government views in relation to the risks posed to Ireland by existing nuclear facilities on the west coast including Sellafield and Wylfa.

Ireland remains firmly opposed to the nuclear industry on the grounds of the many risks it poses to human health, the environment and the economy, as well as risks associated with waste and transport. Environmental consequences have arisen for Ireland from historic and ongoing discharges to the sea from Sellafield and the potential risk for a serious accident or incident at nuclear plants including Sellafield. Any proposals by the UK to develop new nuclear capacity must be addressed in this context.

I have not discussed the UK Energy Review and associated issues with my fellow EU Ministers. However, Ireland co-operates in the EU on a regular basis with like minded countries on the nuclear issue. I did meet with EU Commissioners Andris Piebalgs (Energy) and Franco Frattini (Security) in Brussels in January. While these meetings primarily concentrated on issues relating to Sellafield, I did take the opportunity to convey Ireland's views on nuclear energy generally in a forthright manner.

#### **Environmental Policy.**

37. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government the intended timeframe for the implementation of the 10 key actions recommended in the recent report, *Invasive Species in Ireland*; when he intends to act on key action 1, which the authors of the report have highlighted as being of great urgency, that is to prepare risk assessments and contingency plans for species that are likely to



invade Ireland in advance of their arrival.  
[16458/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** My Department and the Environment and Heritage Service in Northern Ireland are cooperating in the implementation of the key actions recommended in the recent report *Invasive Species in Ireland*. Tendering has been completed for the award of a three-year contract to take forward the recommendations of the Report on an all-Ireland basis, and the award of the contract will be announced shortly. Work is expected to commence later this month.

The preparation of risk assessments and contingency plans to address the threat of new invasions will be addressed as part of this work.

*Question No. 38 answered with Question No. 13.*

#### Planning Issues.

39. **Mr. Coveney** asked the Minister for the Environment, Heritage and Local Government if he will remove the present planning restrictions in relation to the installation of solar panels for renewable energy in domestic dwellings; and if he will make a statement on the matter. [16597/06]

78. **Mr. G. Murphy** asked the Minister for the Environment, Heritage and Local Government if he will remove existing planning restrictions to enable the installation of renewable energy systems for domestic users without planning permission; and if he will make a statement on the matter. [16595/06]

104. **Mr. Coveney** asked the Minister for the Environment, Heritage and Local Government if he will remove the present planning restrictions in relation to the installation of wind turbines for renewable energy in domestic dwellings; and if he will make a statement on the matter. [16598/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 39, 78 and 104 together.

Many domestic renewable energy developments, including the placing of solar panels to the rear of houses, would be exempted development. Section 4(1)(h) of the Planning and Development Act 2000, provides that development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure is exempted development if the works affect only the interior of the structure or do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures. I have also asked my Department to review the exempted development regulations to ensure that

they support the use of renewable energy for domestic and small business users.

#### House Prices.

40. **Mr. Timmins** asked the Minister for the Environment, Heritage and Local Government if he will outlaw the practice of gazumping; and if he will make a statement on the matter. [16592/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** I refer to the reply by the Minister for Justice, Equality and Law Reform to Question No. 1128 of 25 January 2006.

Any legislative action to address the issue of gazumping would involve changes to the Law of Contract. The report of the Auctioneering and Estate Agency Review Group to the Minister for Justice, Equality and Law Reform in July 2005 recommended, in order to protect buyers, that the new National Property Service Regulatory Authority address the need to promote consumer understanding of this issue as a priority. The Minister for Justice, Equality and Law Reform is taking steps, with the approval of the Government, to establish the new regulatory authority.

#### Noise Pollution.

41. **Mr. Gogarty** asked the Minister for the Environment, Heritage and Local Government his views on whether the arrangements for dealing with neighbourhood noise are sufficient. [16644/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Section 107 of the Environmental Protection Agency Act 1992 provides local authorities with powers to require measures to be taken to prevent or limit noise. These powers are generally exercised in preventing and limiting noise from commercial and industrial premises within their functional areas.

Under the Environmental Protection Agency Act 1992 (Noise) Regulations 1994, a local authority or any person may seek an order in the District Court to have noise giving reasonable cause for annoyance abated. The procedures involved have been simplified to allow action to be taken without legal representation. A public information leaflet outlining the legal avenues available to persons experiencing noise nuisance is available from my Department and on the Department's website, [www.environ.ie](http://www.environ.ie).

Provisions in the Residential Tenancies Act 2004 relating to anti-social behaviour, in the context of tenant and landlord obligations, may also be relevant, depending on the circumstances.

Finally, noise nuisance and other problems caused by local authority tenants are also covered under legislation. The tenancy agreement, which

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is the legal basis of the relationship between the local authority and its tenants, will generally contain provisions in relation to the type of behaviour that is acceptable, and that which is not. The local authority is empowered under Section 62 of the Housing Act 1966, to initiate proceedings to secure an eviction where a tenant has breached the conditions of the tenancy agreement.

I am satisfied that adequate statutory provisions are in place to address neighbourhood noise nuisance. The Environmental Noise Regulations 2006 transpose EU Directive 2002/49/EC, relating to the assessment and management of environmental noise. Environmental noise is defined in the EU Directive as unwanted or harmful outdoor sound created by human activities, including noise emitted by means of transport, road traffic, rail traffic, air traffic, and from sites of industrial activity. The Directive excludes, inter alia, noise from domestic activities and noise created by neighbours.

#### **Environmental Policy.**

42. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government his views on the rise in the number of plastic bags being used here over the past two years; and if he will consider increasing the levy. [16640/06]

105. **Mr. Cuffe** asked the Minister for the Environment, Heritage and Local Government the way in which retailers have been prosecuted for failing to charge for the plastic bag levy in each of the years since the levy's introduction in 2002. [16641/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 42 and 105 together.

The 15 cent levy on plastic bags, as provided for in the Waste Management (Environmental Levy) (Plastic Bag) Regulations 2001 — which took effect on 4 March 2002 — applies to all plastic bags supplied to customers at the point of sale to them for the conveyance of goods or products. Prior to the introduction of this levy, an estimated 1.2 billion plastic bags were given away free by retailers. The levy has led to a dramatic reduction in use of plastic bags with a consequent positive environmental benefit. Plastic shopping bags accounted for 5% of litter arisings prior to the introduction of the levy, but for just 0.22% of litter arisings in 2004.

Any recent marginal increase in the use of plastic bags would be a reflection of economic growth, increased retail activity and increase in population. The increase in income arising from the levy may also be attributable to increased enforcement by local authorities and audit activity by the Revenue Commissioners.

I am concerned that the Plastic Bag Levy Regulations should be rigorously enforced. It is

important to ensure that the efforts and commitment of the vast majority of retailers are not undermined by the non-compliance of a few. My Department will accordingly write to local authorities asking them to carry out inspections of retail outlets with a view to improving current practices in relation to the implementation of the Plastic Bag Levy Regulations. An enforcement network of local authority officers has been established to monitor and co-ordinate the enforcement drive.

Prosecution of retailers who fail to comply with the Plastic Bag Levy Regulations is a matter for local authorities. The relevant enforcement officers have extensive powers to enter any retail premises, to conduct any searches or investigations considered necessary, and to inspect or remove any records, books and documents for the purposes of any proceedings in relation to the levy.

All complaints received in my Department concerning non-compliance are forwarded to the relevant local authority and the Revenue Commissioners. The operation of the levy is also subject to the normal Revenue Commissioners auditing arrangements.

It is evident that the plastic bag levy continues to have a positive effect on our environment. I am anxious that it should continue to do so and in this context will keep all aspects of the levy including the level of the tax under review.

#### **Social and Affordable Housing.**

43. **Ms Shortall** asked the Minister for the Environment, Heritage and Local Government his plans to ensure that the installation of the types of energy efficient technologies covered in schemes such as the new greener homes scheme for householders and the existing house of tomorrow scheme for developers will become standard practice when social and affordable homes are being planned and built. [16478/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** Proposals from local authorities in relation to the construction of social and affordable housing that may involve the provision of additional energy efficiency measures, will be examined by my Department on their merits from the point of view of efficacy and value for money/cost benefit considerations. Social housing design guidelines outline a range of issues to be taken into account generally in terms of the sustainability of dwelling design. There are a number of social housing developments which have advanced the process further by using innovative energy efficiency and environmentally friendly technologies.

A new Housing Policy Framework: Building Sustainable Communities which outlines key principles underpinning housing policy and investment over the coming years was launched

last December. The framework proposes an integrated approach to housing in Ireland and firmly places housing policy in the context of building sustainable communities. The framework particularly highlights the commitment of the Government to continuing improvements in the quality of housing and neighbourhoods. A further policy statement will be published this year which will set out more detailed approaches to this issue.

### Planning Issues.

44. **Mr. Sargent** asked the Minister for the Environment, Heritage and Local Government if his Department will be bringing amendments to Section 180 of the Planning and Development Act 2000 to allow local authorities to take estates controlled by management companies in charge to alleviate this additional financial burden on young persons buying homes; and if he will make a statement on the matter. [16650/06]

88. **Ms B. Moynihan-Cronin** asked the Minister for the Environment, Heritage and Local Government the way in which local authority services are to be financed over the next few years; the steps he intends to take to ensure that local authorities have sufficient funds to take in charge and maintain all housing developments in their areas, in order that there is no longer a need for management companies to operate in housing estates; if he intends to ban management companies in housing estates; and if he will make a statement on the matter. [16479/06]

93. **Mr. Allen** asked the Minister for the Environment, Heritage and Local Government the number of households in the country paying management company charges; and if he will make a statement on the matter. [16593/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 44, 88 and 93 together.

There are a number of provisions in the Planning and Development Act 2000 relating to the finishing of estates and the taking in charge of estates. Section 34(4)(g) allows a planning authority to attach a condition to a planning permission requiring the giving of adequate security for the satisfactory completion of the development. Planning authorities have been advised by my Department in the past, and again in Circular Letter PD 1/06 of January 2006, that their policy in this area should include the provision of an acceptable level of security by the developer, which will not be released until the estate is completed to the specified standards.

Under section 180 of the Planning Act, planning authorities are obliged to begin the procedures to take in charge the public services of housing estates once these are completed in accordance with the terms of the planning permission, where they are requested to do so by the

developer or a majority of the residents of the housing development. In the case of housing estates which are not completed in accordance with the terms of the permission and where the planning authority has not taken enforcement action within the appropriate period, planning authorities are also obliged to begin the procedures to take the public services in charge where they are requested to do so by a majority of the residents. In the case of developments which are not completed satisfactorily completed, planning authorities apply the security provided by the developer to that satisfactory completion. It is not proposed to amend section 180 of the Planning and Development Act 2000.

Local authorities may apply their own resources to the taking in charge of estates. Since the introduction of the Local Government Fund in the Local Government Act 1998 local authorities now have a ring fenced, buoyant source of central government funding. The amount available from the Fund rose from some €797m in 1999 to €1.3bn in 2005: this now represents about 30% of their current funding needs. General purpose grants from the Fund this year amount to €874.7m, an increase of 7% over the amount provided last year and have more than doubled since the Fund was introduced in 1999. This increased funding together with income raised locally through commercial rates and charges for goods and services has enabled local authorities to widen and improve the services they provide to business and communities. I am satisfied that these elements will enable local authorities to continue to provide services to a reasonable level.

Management companies traditionally operated for apartment developments, as it is necessary to have arrangements in place for the upkeep and maintenance of the buildings and shared private areas of such developments. A Law Reform Commission Working Group is currently examining a range of legal issues in relation to the management of multi-unit structures and the Government will consider the recommendations in its final report, including the need for any new legislation in this area.

In late 2005 I requested that a survey be carried out of planning authorities regarding their policy on attaching planning conditions relating to management companies in housing developments. The responses to that survey indicate that the majority of planning authorities do not attach conditions to planning permissions requiring management companies to be set up in the case of housing estates. A number do in very specific circumstances, for example, where there is a shared waste water treatment plant between a number of houses.

On 26 January 2006 my Department issued Circular Letter PD 1/06, referred to above, reminding planning authorities of their responsibilities in relation to the taking in charge of estates and asking that each authority adopt a



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policy in this regard. This circular clearly stated that the existence of a management company to maintain elements of common buildings, carry out landscaping, etc. must not impact upon the decision by the authority to take in charge roads and related infrastructure where a request to do so is made. This circular also requested a report from each authority on the issues of estates to be taken in charge. The vast majority of returns have now been received and these indicate that virtually all planning authorities either have a policy in place for talking estates in charge or are in the course of developing one. The returns also indicate that about 550 estates will be taken in charge in 2006, affecting almost 26,000 houses.

I am considering whether any further advice should issue to planning authorities regarding planning conditions and management companies. My Department does not collect figures on the numbers of households paying management charges.

*Question No. 45 answered with Question No. 23.*

#### **Water Quality.**

46. **Mr. Sherlock** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the pressures on environment sections of many local authorities to focus on waste issues is to the detriment of their work on water quality; and if he will make a statement on the matter. [16468/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I am aware that environmental sections of local authorities are required to discharge a wide range of functions and responsibilities. However, a wide range of measures have been put in place in order to assist local authorities in the execution of their functions in relation to water quality. For example, the local authorities acting jointly are designated as competent authorities for the implementation of the Water Framework Directive under the European Communities (Water Policy) Regulations 2003. Their task in this regard is being significantly supported by river basin district projects, led by local authorities but funded by my Department, together with a wide range of research and other projects funded under the National Development Plan. INTERREG funding is also being applied in relation to cross-border projects. My Department has committed funds in excess of €50 million to date to these activities.

A further €2 billion has been invested since 2000 under my Department's Water Services Investment Programme, on the provision of new and upgraded water and wastewater infrastructure.

I am also providing some €875m to local authorities in 2006 through general purpose grants from the Local Government Fund. This represents an increase of 7% over the level provided in 2005 and I am satisfied that this funding, together with the income available to local authorities from other sources, will enable them to provide a satisfactory level of services. It is, of course, a matter for each local authority to prioritise its expenditure within the resources available to it and to operate its services as efficiently and effectively as possible.

Local authority staffing increased by over 25% in the period 1997 to 2003. I am continuing to keep the overall employment position in the sector under regular review, having regard to the need to deliver quality front line services and achieve value for money within the parameter of Government policy on public service employment generally.

A high priority also attaches to waste issues. 120 new staff have been recruited specifically for waste related work. The work programme for these staff is entirely waste related and is undertaken both under the authorities own plans and as part of the agreed Action Plans of the Enforcement Network of the EPA. Funding in the order of €7.5 million per year in Enforcement Grants is being provided in respect of these staff from the Environment Fund, which in turn is funded from the Landfill Levy and the Plastic Bags Levy. Far from taking resources from the water quality area, these waste actions are undertaken by staff dedicated to such work, recruited for that purpose and funded from waste levies.

#### **Election Management System.**

47. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the total expenditure incurred to date in respect of electronic voting including promotion, storage, research or any other associated costs; if he has in mind any proposals or plans to fully reimburse the taxpayer; and if he will make a statement on the matter. [16561/06]

241. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he intends to negotiate a sale of the electronic voting technology with a view to reimbursing the taxpayer in respect of the costs incurred to date and future storage costs; and if he will make a statement on the matter. [16806/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 47 and 241 together.

The total cost incurred to date in the development and roll-out of the electronic voting and counting system is some €51.3 million. In addition, information provided by returning officers to my Department indicates that the total annual storage cost for the electronic voting



machines and ancillary equipment is some €696,000.

A programme of further assessment, testing and validation of the electronic voting and counting system is underway in my Department to address issues raised by the Commission on Electronic Voting and demonstrate that the system operates reliably, securely and accurately. The timing of the further use of the system is dependent on the progress made with this work and the ongoing work of the Commission on Electronic Voting, the associated decisions arising in this regard, and the dates at which future polls may be held.

### **Building Regulations.**

48. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government the progress to date on the preparing of his Department's sectoral plan; the number of submissions his Department received following the public consultation of the review of part M of the Building Regulations 2000; if his Department has begun processing the submissions; when he expects to publish amendments for part M and the related technical guidance document M; and if he will make a statement on the matter. [16601/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** As required under the Disability Act 2005, my Department's sectoral plan will be laid before the Houses of the Oireachtas no later than 28 July 2006. The finalised plan will build on the outline sectoral plan, published in September 2004, and subsequent consultations with people with disabilities, representative organisations and other Government Departments with linked sectoral plans. The plan will set out national objectives and guidelines for access to local authority public buildings, services, facilities, amenities, and information, as well as to heritage sites and other facilities managed by my Department.

Each local authority will be required to draw up an implementation plan within nine months of the statutory approval of the sectoral plan by the Houses of the Oireachtas, on the basis of a detailed accessibility audit. The implementation plans, drawn up in consultation with organisations representing people with disabilities, will set out a programme of actions to give effect to the commitments and objectives contained in the 2005 Act, in order to promote and pro-actively encourage equal opportunities for persons with disabilities to participate in the economic, social and cultural life of the community.

I have provided €18 million in 2006 to help local authorities and other bodies under the aegis of my Department to implement the National Disability Strategy, as part of a multi-annual funding programme, began in 2005, which will continue until 2009.

The outline sectoral plan also included a commitment to review and update standards set out in Part M of the Building Regulations. In line with this commitment, I published a Public Consultation notice in the national newspapers last December seeking comments on the existing Part M (Access for People with Disabilities) of the Building Regulations and the related Technical Guidance Document (TGD M). The closing date for receipt of submissions was 31 March 2006. A total of 40 detailed submissions was received. My Department is now examining each submission and will be consulting the Building Regulations Advisory Body (BRAB), by Autumn 2006 on amendments to Part M and TGD M.

### **Local Authority Playgrounds.**

49. **Mr. McCormack** asked the Minister for the Environment, Heritage and Local Government the number of local authority playgrounds here on a local authority basis; and if he will make a statement on the matter. [16613/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Information regarding the number of local authority playgrounds is not available in my Department. However, Service Indicators in Local Authorities 2004 published by the Local Government Management Services Board reported on performance across 42 indicators covering the broad range of local authority activities. Two of the indicators relate to playgrounds and these enable comparisons to be made across local authorities on their performance in this area. Specifically, the indicators show the number of children's playgrounds per 1,000 population

- provided directly by the local authority, and
- facilitated by the local authority.

Copies of this publication are available in the Oireachtas Library.

### **Sustainable Development Strategy.**

50. **Mr. Boyle** asked the Minister for the Environment, Heritage and Local Government if he intends to review the National Sustainable Development Policy published almost ten years ago; if so, if that review process will include setting clear goals and targets for all Government Departments; and if he will make a statement on the matter. [16651/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The Government adopted Sustainable Development: A Strategy for Ireland in 1997. In preparation for the World Summit on Sustainable Development in 2002, the Government reviewed progress on this strategy and published Making Ireland's Development Sustainable: Review, Assessment and Future Action.

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In June 2001, the European Council agreed a European Union Sustainable Development Strategy (EU SDS). The EU SDS is being reviewed at present, and this review is likely to be considered at, and adopted by, the European Council in June. The review is likely to emphasise the importance of measures, including indicators and targets, to evaluate progress on sustainable development strategies as well as calling on member states to review their domestic sustainable development strategies within a specified period. I envisage that Ireland's strategy will be reviewed within this context and timescale.

### Local Authority Housing.

51. **Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government the number of units of social housing sold by local authorities under the Tenant Purchase Scheme in 2005. [16558/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** Housing statistics are available on my Department's website at *www.environ.ie*. Under the Tenant Purchase Scheme, local authorities completed 1738 sales in 2005.

52. **Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if he has received representations from local authorities seeking additional funds to enable them to carry out necessary repairs to local authority housing which they are prevented from carrying out at present due to a lack of resources. [16559/06]

71. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government if additional funds will be made available to local authorities to enable them to carry out necessary repairs to local authority housing as they are prevented from carrying out these repairs at present due to a lack of funding. [16549/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** I propose to take Questions Nos. 52 and 71 together.

The management, maintenance and improvements to their rented dwellings is the responsibility of each local authority and the funding of such works is provided by local authorities from their own resources as part of their ongoing maintenance programmes.

My Department does, however, provide capital funding for substantial major refurbishment work to local authority dwellings under the Remedial Works Scheme. My Department has been encouraging local authorities to avail of this scheme to remediate dwellings in need of refurbishment. Funding is also provided to local auth-

orities for the refurbishment of houses that have remained vacant for periods longer than six months and require significant refurbishment prior to reletting. Local authorities are required to meet from their own resources the first €10,000 of the cost of such refurbishment in respect of each dwelling under this initiative. In addition, my Department provides funding, subject to conditions, to local authorities for the installation of central heating in rented houses without such a facility.

### EU Directives.

53. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government the status of the derogation under the nitrates action plan; and if he will make a statement on the matter. [16639/06]

60. **Mr. Naughten** asked the Minister for the Environment, Heritage and Local Government the status of the nitrates action plan; and if he will make a statement on the matter. [16638/06]

76. **Mr. Deasy** asked the Minister for the Environment, Heritage and Local Government the status of the implantation of the Nitrates Directive; and if he will make a statement on the matter. [16625/06]

243. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he has had discussions with the Department of Agriculture and Food in regard to alleviating the impact of the nitrates directive on the wider economy; and if he will make a statement on the matter. [16809/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 53, 60, 76 and 243 together.

I refer to the reply to Questions Nos. 948, 949, 951, 952, 973 and 980 of 25 April 2006 and No. 181 of 27 April 2006. Consideration of the issues arising from recent scientific advice on the implementation of the Nitrates Action Programme is being advanced by my Department, the Department of Agriculture and Food and Teagasc with a view to developing a formal submission to the European Commission this month.

Ireland has sought a derogation from 170 kg to 250 kg organic nitrogen per hectare from the Commission for the benefit in particular to 10,000 dairy farmers. The derogation proposal will need to be considered at future meetings of the Nitrates Committee before approval can be obtained. While the objective had been to secure agreement of a derogation by mid-2006, at present these discussions are in abeyance pending finalisation of the issues arising from recent scientific advice.

In developing proposals for the implementation of the Nitrates Directive in Ireland, high

priority continues to be given to the attainment of least-cost solutions for the farming sector. Implementation of the Nitrates Action Programme and the European Communities (Good Agricultural Practice of the Protection of Waters) Regulations 2005 will bring about beneficial effects for the environment generally and water quality in particular.

### Building Regulations.

54. **Mr. McGinley** asked the Minister for the Environment, Heritage and Local Government if he will introduce nationally applicable building guidelines in relation to annual heating requirements for domestic dwellings; and if he will make a statement on the matter. [16603/06]

98. **Mr. J. O’Keeffe** asked the Minister for the Environment, Heritage and Local Government if he will introduce nationally applicable sustainable building guidelines in relation to minimum low energy performance standards; and if he will make a statement on the matter. [16600/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 54 and 98 together.

Part L (Conservation of Fuel and Energy) of the national Building Regulations prescribe minimum thermal performance and insulation standards for new buildings which are designed to, inter alia, minimize heating requirements. These standards have been progressively increased since they were first introduced in 1991.

Amended Part L Regulations made by me in December 2005 and applicable from 1 July 2006 introduce a requirement to limit annual CO<sub>2</sub> emissions from dwellings. This is directly related to estimated annual energy use of space heating, water heating and lighting. It is planned that a similar requirement for other buildings will be introduced in 2008. The thermal performance and insulation standards for new dwellings are also due to be again reviewed by 2008.

Sustainable low energy performance standards for buildings are being promoted by Sustainable Energy Ireland (SEI) through, for example, the successful “House of Tomorrow” research, development and demonstration programme. It is intended that appropriate design guidelines will follow from this programme.

### Planning Issues.

55. **Mr. Bruton** asked the Minister for the Environment, Heritage and Local Government the percentage of decisions by An Bord Pleanála in cases in which the Bord overrules its own inspectors’ planning report for each year since 2000; and if he will require greater transparency from the Bord to explain all the reasons supporting the Bord’s decision. [16606/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Since the establishment of An Bord Pleanála in 1977, planning legislation has clearly assigned final responsibility for decisions on planning appeals to the Board and not to inspectors making reports and recommendations to the Board.

The details sought in the Question are set out in the table.

Formal Board Decisions -v- Inspectors’ Recommendations

Year	Number of formal decisions with Inspectors’ Reports	Inspectors’ Recommendation not accepted generally	Column 3 as % of Column 2
			%
2000	3,754	406	11
2001	3,905	352	9
2002	4,457	483	11
2003	3,121	317	10
2004	3,459	411	12
2005	3,814	479	13

The figures in column 3 refer only to cases where the Board reversed the recommendation of the Inspector. They do not include the cases where the Board amended the Inspector’s recommendation by attaching, deleting or amending conditions or reasons for decisions.

In considering an appeal, the Board must consider all submissions on the file, together with their own inspector’s report and recommendation, and reach their own conclusion on the matter in line with the proper planning and sustainable development of the area. If they do not follow the recommendations of the inspector, the Board must be satisfied that the facts of the case support their decision. Under the Planning and Development Act 2000, the Board must also give the reasons for their decisions and must specify the various reasons for not accepting the Inspector’s recommendations.

I am satisfied that the Board operates these provisions with appropriate transparency, for example, through the publication of Inspectors’ reports and Boards decisions on its website and the publication of well documented annual reports.

56. **Mr. Crawford** asked the Minister for the Environment, Heritage and Local Government his views on whether land is being hoarded in the greater Dublin area; and if he will make a statement on the matter. [16588/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** In 2003, consultants engaged by my Department carried out a study that, among other things, considered factors affecting the supply of land to the housing

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market, including the possible hoarding of building land. The study considered previous analyses of the housing and land markets, and sought possible evidence of hoarding, based on case studies of three areas, including Fingal and Dún Laoghaire/Rathdown. The consultants concluded that there was no evidence at the time that hoarding of land was a widespread problem or that there were excessive levels of land banking.

There were over 18,000 housing completions in Dublin in 2005, and almost 28,000 completions in the Greater Dublin area incorporating Kildare, Meath and Wicklow. These figures suggest that the supply of new housing in the Greater Dublin Area has reached satisfactory levels and is functioning appropriately.

### Social and Affordable Housing.

57. **Mr. M. Higgins** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the situation in Galway whereby a new scheme of affordable houses were sold at €152,000 each due to the fact that applicants for the houses had been previously advised that the houses would cost €140,000 each; the steps he intends to take to ensure that this situation is not repeated; and if he will make a statement on the matter. [16472/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** Galway County Council were contacted in this matter and advise that the houses in question are priced at €152,000, which is the construction cost of the units less a subsidy from my Department. The price of each house is based on costs at final account stage. Galway County Council have confirmed that at no time were the applicants in Tynagh advised of any price other than the sale price which in this case was €152,000 net of subsidy.

### Litter Pollution.

58. **Mr. English** asked the Minister for the Environment, Heritage and Local Government the number of persons fined for littering since 1 January 2006; the average fine imposed; and if he will make a statement on the matter. [16634/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Statistics on local authority enforcement action on litter, including the number of on-the spot fines issued by them, are submitted by local authorities to my Department every six months; these figures are available in the Oireachtas Library. Based on information received from local authorities to date, over 25,000 on-the-spot fines were issued in the twelve months ending 31 December 2005. The on-the-spot litter fine was set at €125 from 1 January 2002.

### Waste Disposal.

59. **Mr. Noonan** asked the Minister for the Environment, Heritage and Local Government the status of the proposed incinerator at Poolbeg; and if he will make a statement on the matter. [16621/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I refer to the reply to Question No. 540 of 3 May 2006.

*Question No. 60 answered with Question No. 53.*

### Greenhouse Gas Emissions.

61. **Mr. Eamon Ryan** asked the Minister for the Environment, Heritage and Local Government if he has plans to encourage the use of zero emission cars and vans by introducing exemption from road tax and recommending exemptions from parking charges and proposed congestion charges for such vehicles. [16645/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I assume that the Question refers to electrically propelled vehicles. Under motor tax law electrically propelled vehicles already enjoy concessionary rates of motor tax, which are lower than the minimum rate levied in respect of other propelled vehicles. I do not propose to extend the exempt tax class, which, other than State-owned vehicles, primarily relates to emergency and disabled drivers vehicles.

Responsibility for parking and congestion charges is a matter for my colleague, the Minister for Transport.

### Exotic Animals.

62. **Mr. Neville** asked the Minister for the Environment, Heritage and Local Government his Department's estimate of the number of exotic animals, once kept as pets, that are now living in the wild; and if he will make a statement on the matter. [16624/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** It is an offence under section 52 of the Wildlife Act 1976 as amended to turn loose or allow any species of exotic animal to escape into the wild unless a licence has been granted for that purpose. My Department very rarely receives applications for licences.

The release of any exotic animal into the wild is highly inadvisable as it may pose a threat to native species, and is also likely to cause suffering to the animal released. Any owner of an exotic pet animal who no longer wishes to keep their pet should arrange either for its transfer to another responsible owner, or for its humane destruction.



### Departmental Press Facilities.

63. **Mr. McCormack** asked the Minister for the Environment, Heritage and Local Government his views on whether it is appropriate to use his Department's press facility and website to issue a party political statement; and if he will make a statement on the matter. [16614/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** It is appropriate that statements issued through my Department's Press Office and on its website should relate fully to the business of the Department and that party political statements should be issued through other suitable channels. This is without prejudice to the need for any Minister in office, as occasion may demand, to provide a political defence of the policies and positions of his/her Department.

### Social and Affordable Housing.

64. **Mr. Rabbitte** asked the Minister for the Environment, Heritage and Local Government if he has satisfied himself that the Government effort to date in relation to the provision of affordable, social and voluntary housing is acceptable; the steps he is taking to increase the output of housing in all these sectors, particularly in the case of affordable housing which has seen particularly slow progress; and if he will make a statement on the matter. [16454/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** The impact of this Government's commitment to strong social and affordable housing programmes can be seen in the results of the 2005 Housing Needs Assessment which showed a decrease of almost 10% when compared to the 2002 results. Indeed the strength of existing programmes can be gauged from the fact that work was in progress on over 10,000 social housing units at the end of last year. Since 1997, we have—

- invested €6.5 billion of Exchequer capital resources in social and affordable housing schemes, supported by five-year action plans at local authority level to deliver these programmes;
- provided for the housing needs of almost 100,000 households through various programmes, including through new affordable housing measures;
- established the Affordable Homes Partnership (under the chairmanship of Mr. Des Geraghty) to accelerate the delivery of affordable housing in the Greater Dublin area, where the problems are most acute;
- delivered significant increases in funding levels for the voluntary and co-operative housing programme and initiated institutional and

organisational changes to facilitate the development of the sector.

The new Housing Policy Framework: Building Sustainable Communities launched by the Government last December outline further increases in the programme of investment in social and affordable housing measures for the period 2006-2008.

Exchequer capital resources provided to my Department for these measures for this period stand at almost €4 billion, over 20% higher than the past three years, and this sum rises to over €6.5 billion when non-voted and current spending provisions are included. This money will be invested in response to identified need, with in the region of 23,000 new units of social housing to be commenced and 15,000 units of affordable housing to be delivered over the same period. In addition, further households will be assisted through the new Rental Accommodation Scheme. In total, we expect some 50,000 households to benefit from various social and affordable housing measures over the coming three years.

The local authority housing programme is part of the wider social and affordable housing programmes for which the main strategy for delivery is the local authority 5-year Action Plans for social and affordable housing. The Action Plans, now at their midway stage are currently being reviewed. The outcome of the reviews will ensure that local authorities continue to have a framework for the integrated and cohesive planning and delivery over the coming years of specific social and affordable housing measures based on their relevant housing strategy.

*Question No. 65 answered with Question No. 16.*

### Proposed Legislation.

66. **Mr. Eamon Ryan** asked the Minister for the Environment, Heritage and Local Government if he intends to introduce legislation requiring a cooling-off period for senior local authority staff intending to join private sector companies as is the practice in Britain and America; and if so, when he intends to introduce such legislation. [16646/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The Code of Conduct for local authority employees published in June 2004 under Part 15 of the Local Government Act 2001 includes disclosure requirements concerning employment outside the local government sector and addresses situations concerning a conflict of personal and public interest. However, the question of local government officials accepting outside appointments or consultancies within a specified period following resignation or retirement is not subject to the Code at present. This matter is under active review and

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will be addressed in the context of an appropriate amendment to the Code that I intend to publish shortly.

*Question No. 67 answered with Question No. 36.*

### **Social and Affordable Housing.**

68. **Ms Burton** asked the Minister for the Environment, Heritage and Local Government if he intends to review the practice that is happening in some affordable housing schemes whereby the houses are allocated on a first come, first served basis; if his attention has been drawn to the fact that such a system is likely to be disadvantageous to persons with families who are not in a position to camp out overnight in order to queue for a suitable dwelling which suits their family needs; and if he will make a statement on the matter. [16456/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** It is a key Government objective to maximise access to affordable housing. In situations where the demand exceeds the supply for particular developments, it is a matter for the relevant local authority to draw up a scheme of allocation priorities based on broad criteria set out in legislation. The making of a scheme or amendment to any such scheme is a reserved function of the Council.

### **Nuclear Safety.**

69. **Mr. S. Ryan** asked the Minister for the Environment, Heritage and Local Government when he expects a final decision in relation to the UNCLOS case in view of the preliminary judgment in January 2006, and the legal team Ireland has working on the case at present. [16524/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The Government's international legal proceedings against the United Kingdom under the United Nations Convention on the Law of the Sea in relation to the Sellafield Mox Plant were suspended in 2003 pending resolution of jurisdictional issues in the dispute raised by the European Commission.

These issues were the subject of proceedings by the European Commission against Ireland before the European Court of Justice (ECJ). The Advocate General's Opinion, issued in the case on 18 January last, considers that the ECJ has jurisdiction in relation to the dispute between Ireland and the UK. While this Opinion favours the case made by the Commission, it will be a matter for the Court to issue the final judgment which is expected on the 30 May next. The final outcome should clarify international and EU law in relation to the protection of the marine environment and other issues raised by the continued

operation of the Sellafield Reprocessing Plant. The Government, in consultation with the Attorney General, will decide future legal strategy based on the final judgment.

Ireland's legal team for the proceedings taken under the United Nations Convention on the Law of the Sea is led by the Attorney General and is as follows; Mr. David J. O'Hagan (Agent for Ireland), Ms. Christina Loughlin (Deputy Agent), Mr. Eoghan Fitzsimons SC, Mr. Paul Sreenan SC, Professor Philippe Sands QC and Professor Vaughan Lowe. Further information can be obtained on the website of the Permanent Court of Arbitration at <http://www.pca-cpa.org>. A similar team with the addition of Niamh Hyland, BL, acted for Ireland in the litigation before the European Court of Justice.

### **Local Authority Housing.**

70. **Mr. O'Dowd** asked the Minister for the Environment, Heritage and Local Government the number of move on accommodation units in the State; and if he will make a statement on the matter. [16626/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** My Department recoups to local authorities 90% of their expenditure on the provision of accommodation and related services for homeless persons, including those in move-on accommodation. In 2005, recoupment was made in respect of 779 move-on units, which represented an increase of almost 33% over the previous year when recoupment was made in respect of 586 units.

Funding available from my Department for recoupment to local authorities of costs incurred in the provision of accommodation and related services for homeless persons in 2006 is €50 million. This brings to €280 million the total funding made available from my Department for this purpose since the implementation of the Government's Integrated Strategy on Homelessness in 2000.

*Question No. 71 answered with Question No. 52.*

*Question No. 72 answered with Question No. 24.*

*Question No. 73 answered with Question No. 36.*

### **House Prices.**

74. **Mr. Deenihan** asked the Minister for the Environment, Heritage and Local Government his views on the Irish Home Builder's Association statement that development levies add up to 6 per cent to the cost of houses; and if he will make a statement on the matter. [16615/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Development contributions attached as a condition of planning permissions provide a mechanism by which developers can contribute to the cost of providing public infrastructure and facilities that benefit development in the area. They are paid by the person carrying out the development in advance of construction starting.

House prices are not determined solely by the cost of building, but by the interaction of supply and demand in the market. The revised system of levying development contributions under the Planning and Development Act 2000 has not affected the level of supply, as is demonstrated by the fact that housing output reached a new record level of almost 81,000 in 2005. This very large increase in housing output has helped to restrain house price increases in the face of continuing very strong demand pressures and increased mortgage lending.

The Government will continue to prioritise effective action to maintain current high levels of supply in the housing market and in particular, will accelerate measures to assist those who cannot access affordable housing without assistance. A key component of this strategy is ensuring a supply of serviced land for housing which the development contribution system helps to fund. If developers were not required to contribute part of the cost of servicing the land that they use to build houses, servicing new land would become more difficult or an even greater burden would fall on taxpayers.

#### **Local Authority Housing.**

75. **Mr. Hogan** asked the Minister for the Environment, Heritage and Local Government if he plans to conduct the housing needs assessment on an annual basis in order to give a more accurate picture of housing need; and if he will make a statement on the matter. [16585/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** An objective and comprehensive assessment of a person or family's need is an essential first step in putting in place a modern system of housing supports.

Under the Housing Policy Framework — Building Sustainable Communities, there is a commitment to develop new means of assessing housing need. As part of the new arrangements I anticipate that future assessments of housing need will be carried out on a more regular basis.

Further details on the new arrangements will be announced later in the year.

*Question No. 76 answered with Question No. 53.*

#### **Private Rented Accommodation.**

77. **Ms McManus** asked the Minister for the Environment, Heritage and Local Government if and when he intends to update the minimum standards for rented accommodation to bring them in line with modern living standards and to ensure that dwellings are suitable for family life; if he intends using the guidelines prepared for the proposed residential accommodation scheme as a blueprint to do same; if he further intends to resource or otherwise encourage local authorities to adopt a more proactive approach to inspections by conducting spot-checks on rental supplement accommodation; and if he will make a statement on the matter. [16482/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** I intend to review the Housing (Standards for Rented Houses) Regulations 1993 as soon as the demands involved in bedding down the new tenancy legislative regime permit. I expect that work on the review of the Regulations will commence later this year. In the meantime action is being taken on a number of fronts, as indicated in my reply to Questions Nos. 12, 61, 63, 103, 104 and 114 on 8 March 2006, to improve enforcement of the existing regulations, including the allocation of performance related funding to local authorities.

In relation to the Rental Accommodation Scheme (RAS), one of its objectives is to help bring about improvements in the quality and standards of private rented accommodation. Accommodation coming into RAS must comply with the statutory requirements as determined by the local authority before the authority will enter into contracts with landlords. Landlords must also be tax compliant and have registered the tenancy with the Private Residential Tenancies Board. Guidance has issued to authorities setting out the minimum requirements for accommodation under the scheme. This generally reflects existing regulatory requirements.

*Question No. 78 answered with Question No. 39.*

79. **Mr. Morgan** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the growing concerns that the Private Residential Tenancies Board does not have the staff and resources required to properly carry out its work in line with the provisions of the Residential Tenancies Act 2004. [16551/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** Substantial resources are being provided to the Private Residential Tenancies Board (PRTB) to meet the high level of demands on its services. There is currently a total of 35



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staff working in the PRTB, which also receives ongoing support from my Department. The PRTB has also engaged a panel of 175 mediators and adjudicators to assist with its dispute resolution functions. An increased provision of €3.707 million is available to fund the PRTB's administration and services in 2006, compared with an outturn of €1.737 million in 2005.

#### Local Authority Housing.

80. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government if his Department has estimated the likely demand for local authority housing over the next five years; and if he will make a statement on the matter. [16589/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** The most recent assessment of need for social housing which was undertaken by local authorities in March 2005 indicated that there were 43,684 households on local authority housing waiting lists compared with 48,413 households in March 2002 a decrease of almost 10%. More comprehensive data on the assessment at an individual local authority level will be published shortly in the Annual Bulletin of Housing Statistics and on my Department's website at [www.enviro.ie](http://www.enviro.ie).

The Government's commitment to addressing the housing waiting lists is reflected in the 5% increase in the provision for social and affordable housing for 2006. The 5% increase in the 2006 provision for housing corresponds to an investment programme of €1.3 billion in 2006. This is a significant financial commitment and maintains the momentum of a sustained period of investment in housing in recent years.

In December 2005, the Government launched a new Housing Policy Framework: Building Sustainable Communities which outlines key principles underpinning housing policy and investment over the coming years. Substantial increased investment in social and affordable housing is outlined in the framework. This will allow for some 23,000 new social homes to be commenced between 2006 and 2008; and some 15,000 affordable homes to be delivered. In total, some 50,000 households will benefit over the coming three years from an Exchequer capital investment package of close to €4 billion. Allied to this, a package of reforms is proposed to improve equity, efficiency and effectiveness. The focus is on improving community participation, improving services to ensure personal choice, autonomy and responsibility.

#### Building Regulations.

81. **Mr. Costello** asked the Minister for the Environment, Heritage and Local Government if

he intends to amend the Building Control Bill 2005 to allow for the setting up of an independent architects council following the recommendation of the Competition Authority that such a body is needed; and if he will make a statement on the matter. [16474/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I do not propose to amend the Building Control Bill 2005 to provide for the setting up of an independent Architects Council, as recently recommended by the Competition Authority.

The 2005 Bill assigns a limited role to the registration body the Royal Institute of the Architects of Ireland (RIAI). First, the basic registration eligibility criteria are specified in the Bill and will not be determined by the registration body. Second, key decisions on admission of individual applicants to the register of Architects will not be made by the registration body, but by an Admission Board or Technical Assessment Board.

There will also be the safeguard of the right of appeal against refusal of registration to an Appeals Board and, ultimately to the High Court. Finally, the Bill provides that a majority of the members of the various Boards will be laypersons (non-Architects) under the Chairmanship of a retired judge or a lawyer.

However, I will take into account proposals for other detailed amendments of the Bill recommended by the Competition Authority during the forthcoming Committee Stage.

#### Housing Grants.

82. **Mr. S. Ryan** asked the Minister for the Environment, Heritage and Local Government if he will include the provision of radon remediation measures for homes as a qualifying type of work under essential repairs grants scheme and the housing aid for the elderly scheme. [16525/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** I refer to the reply to Questions No. 248 of 1 December 2005 and Nos. 117 and 151 of 14 February 2006.

As previously indicated, the Government considers that improving public information on radon, so as to enable and encourage householders to address monitoring or remedial requirements economically, is the most effective approach in Irish circumstances to ensuring radon safety in homes. It would be difficult for a demand led scheme of domestic radon grants to ensure appropriate and cost effective targeting of remedial action and such a scheme could require very significant public expenditure and administrative resources.

It is not, therefore, proposed to include radon remediation measures as qualifying works under



the essential repairs grants or Housing Aid for the Elderly schemes.

### Social and Affordable Housing.

83. **Mr. Hogan** asked the Minister for the Environment, Heritage and Local Government his plans to build more affordable housing in view of increasing house prices; and if he will make a statement on the matter. [16586/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** I refer to the reply to Priority Question No. 4 on today's order paper.

### Property Management.

84. **Mr. P. Breen** asked the Minister for the Environment, Heritage and Local Government the steps he intends to take to regulate property management agents; and if he will make a statement on the matter. [16590/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** My Department has no role in this matter. I understand however that legislation is being drawn up by the Department of Justice, Equality and Law Reform to establish the new National Property Services Regulatory Authority and provide for its regulatory regime, including the regulation of managing agents.

### Social and Affordable Housing.

85. **Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government the number of units of social and affordable housing provided under Part V of the Planning and Development Acts 2000-2002 in 2005; and if he will make a statement on the matter. [16555/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** Details in relation to the number of social and affordable houses provided in 2005 under Part V of the Planning and Development Act 2000-2004 are available on the Department's website at [www.environ.ie](http://www.environ.ie).

### Greenhouse Gas Emissions.

86. **Mr. Broughan** asked the Minister for the Environment, Heritage and Local Government when he expects to produce revised proposals for reducing greenhouse gases; if these proposals will include all the key measures highlighted in the national climate change strategy, including the conversion of Moneypoint power station. [16463/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I refer to the reply to Question No. 7 of 8 March 2006.

A review of the National Climate Change Strategy is being finalised in light of recently updated projections of greenhouse gas emissions for the 2008-2012 period, as well as recent Government decisions regarding participation by Irish installations in the EU emissions trading scheme and use of the Kyoto Protocol flexible mechanisms in meeting Ireland's target for the purposes of the Protocol. I will publish this review shortly.

The Government has decided not to proceed with the conversion of Moneypoint to natural gas for reasons of fuel diversity and security of supply. It is not proposed to revisit this decision in the context of a revised strategy.

### End-of-Life Vehicles.

87. **Mr. Noonan** asked the Minister for the Environment, Heritage and Local Government his views on whether the end-of-life vehicles draft regulations would push up the cost of cars; and if he will make a statement on the matter. [16622/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Directive 2000/53/EC on end-of-life vehicles (ELVs) incorporates measures aimed at

- meeting new recovery and recycling targets for ELVs;
- ensuring that all end-of-life vehicles are deposited, dismantled, treated and recovered by industry at no cost to the final holder / owner of that vehicle and in a manner that does not cause environmental pollution;
- producers meeting the costs of free take-back of end-of-life vehicles with no market value;
- introducing systems whereby certificates of destruction are notified to the vehicle registration authorities on the deposit of end-of-life vehicles by their registered owners at authorised treatment facilities (ATFs) for appropriate treatment and recovery; and
- minimising the use of specified hazardous substances in vehicles.

Enabling legislative provisions were included in the Protection of the Environment Act 2003 — which inserts a new part in the Waste Management Act 1996 — to facilitate the development of regulations concerning implementation of the Directive. I recently published draft Waste Management (End-of-Life) Vehicle Regulations 2006 which will fully transpose and provide the framework for the implementation of the ELV Directive. The Regulations were published in draft form to allow for a period of public consultation which concluded on 24 March. The Regulations will be finalised shortly.

Under the draft Regulations, responsibility for putting in place a national network of authorised

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treatment facilities providing take-back of end-of-life vehicles of any particular brand will rest with the producer of that brand. As is the case in a number of European Union Member States, issues in relation to cost of take-back of end-of-life vehicles will be the subject of contractual arrangements between each producer and the ATFs that form part of that producer's national network. There is evidence in other Member States that the cost to industry of meeting its obligations in respect of ELVs has been low in proportion to industry turnover. Ultimately, market forces determine whether increases in any input costs to industry, whether they are ELV related costs or costs of raw materials, transport etc., are absorbed or passed on.

*Question No. 88 answered with Question No. 44.*

### Housing Grants.

89. **Mr. O'Shea** asked the Minister for the Environment, Heritage and Local Government if he intends to restore the first-time buyer's grant in view of reports that many developers are passing on the cost of local authority development levies directly to house buyers thus inflating the cost of new homes; and if he will make a statement on the matter. [16481/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** The new house grant scheme was terminated in 2003 to concentrate housing programmes on areas of greatest impact and social need. It is not proposed to reintroduce the grant. However, through overall increases in supply, and increasing output under various affordable housing initiatives, the Government are seeking to improve access to home ownership for first time buyers. These targeted measures, in particular, assist low income purchasers. This is a better means of improving the affordability of house purchase and using available resources effectively, than a general first time buyer grant which would over time become absorbed into the house price. Other general measures are in place through the tax system to assist first time buyers, such as stamp duty concessions and mortgage interest relief.

Development contributions attached as a condition of planning permissions provide a mechanism by which developers can contribute to the cost of providing public infrastructure and facilities that benefit development in the area. They are paid by the person carrying out the development in advance of construction starting.

House prices are not determined solely by the cost of building, but by the interaction of supply and demand in the market. The revised system of levying development contributions under the Planning and Development Act 2000 has not

affected the level of supply, as is demonstrated by the fact that housing output reached a new record level of almost 81,000 in 2005. This very large increase in housing output has helped to restrain house price increases in the face of continuing very strong demand pressures and increased mortgage lending.

The Government will continue to prioritise effective action to maintain current high levels of supply in the housing market and in particular, will accelerate measures to assist those who cannot access affordable housing without assistance. A key component of this strategy is ensuring a supply of serviced land for housing which the development contribution system helps to fund. If developers were not required to contribute part of the cost of servicing the land that they use to build houses, servicing new land would become more difficult or an even greater burden would fall on taxpayers.

### Nuclear Safety.

90. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if, in view of the failure to raise the concerns of the Members of Dáil Éireann at the planned privatisation of British nuclear fuels with the British Prime Minister as expressed during a debate on 5 April 2006, the plan of action the Government intends to implement to encourage the British Government to change their minds on this dangerous proposal; and his plans to mount a diplomatic campaign on this issue. [16519/06]

97. **Mr. Ferris** asked the Minister for the Environment, Heritage and Local Government the efforts which have been made by him and the Government to dissuade the British Government from privatising the Sellafield nuclear power plant. [16557/06] I propose to take Questions Nos. 90 and 97 together.

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I propose to take Questions Nos. 90 and 97 together.

On 30 March 2006 the UK's Nuclear Decommissioning Authority (NDA) published their new strategy document. This outlines how the NDA proposes to tackle the decommissioning and clean up of the 20 nuclear sites, including Sellafield, over which they have control. The decision by the UK Government to approve the sale of British Nuclear Group Sellafield Ltd. was made in the context of this Strategy.

The activities of privatised companies involved in the nuclear industry require close scrutiny and coordination, to ensure that safety is not compromised in pursuit of profit. I raised specific concerns about the use of private contractors in the industry when I met the Chairman and the Chief Executive of the NDA on 18 November last in Dublin. I also made clear in that meeting and in an earlier meeting with the UK Secretary of State

at the Department of Trade and Industry, Mr. Alan Johnson MP, in October 2005 that the issue of safety at Sellafield must be paramount and the reduction of hazards and risks on the site must be the priority.

Regardless of the privatisation of any element of the British Nuclear apparatus, the Irish Government will continue to hold the UK Government accountable and responsible for the operation of the Sellafield Nuclear Plant. The current position whereby both the ownership of the site and control of the operations undertaken at Sellafield are the responsibility of the UK Government through the Nuclear Decommissioning Authority will continue. The UK authorities have confirmed to my Office that the privatisation of the British Nuclear Group will not alter this position.

The issues raised for Ireland by the continued operation of the Sellafield Nuclear Plant remain a priority for the Government and our policy remains to use every diplomatic and legal initiative to secure the safe closure and decommissioning of the Plant. I have on behalf of the Government robustly pursued our policies in relation to Sellafield with all levels of the UK and EU administrations and I will continue to do so.

*Question No. 91 answered with Question No. 25.*

*Question No. 92 answered with Question No. 28.*

*Question No. 93 answered with Question No. 44.*

### **Social and Affordable Housing.**

94. **Mr. Gilmore** asked the Minister for the Environment, Heritage and Local Government his views on the targets set for social and affordable housing provision in the 2004 NESC Report Housing in Ireland, Performance and Policy, the targets set for the provision of local authority housing and voluntary housing in the National Development Plan, and the target for the provision of social and affordable units under Part V of the Planning and Development Act 2000 must be met if Ireland is to make acceptable progress in housing persons on housing lists throughout the country; and if he will make a statement on the matter. [16453/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** The Government have put in place a number of new arrangements to facilitate the delivery of strong programmes of social and affordable housing. A total of €6.5 billion has been invested in housing capital programmes from Exchequer resources since 1997. Under the current National Development Plan, spending at end 2005 was 3% ahead of forecast. Largely due

to construction inflation, the output is in some respects behind NDP forecasts, but we have put in place measures to ensure that the additional resources now available for housing achieve best value for money, optimum output and deliver programmes in a way that build sustainable communities.

In consultation with my Department, local authorities have developed five-year action plans for their social and affordable housing programmes covering the period to 2008. These incorporate the relevant targets for units delivered through Part V arrangements. The preparation of these plans has improved the identification of priority needs and will help to ensure a more coherent and co-ordinated response across all housing services.

A mid term review of plans, which will allow for adjustments to be made in light of actual performance is under way at present.

During 2005, the Government brought forward new initiatives to specifically address issues raised in the NESC report. In June, we launched the Affordable Homes Partnership to co-ordinate and accelerate the delivery of affordable housing in the Greater Dublin Area. In December 2005, the Government launched a new Housing Policy Framework: Building Sustainable Communities which outlines key principles underpinning housing policy and investment over coming years.

The framework sets out an important programme of investment and reform to address the key policy challenges highlighted by the NESC report on housing, and takes account of the results of the 2005 Housing Needs Assessment and the work of the Housing Forum in relation to the effectiveness of social and affordable housing provision.

As a result of extra capital provision in Budget 2006, substantial increased investment in social and affordable housing is outlined in the framework. This will allow for some 23,000 new social homes to be commenced between 2006 and 2008; and some 15,000 affordable homes to be delivered. In total, some 50,000 households will benefit over the coming three years from an Exchequer capital investment package of close to €4 billion. Implementation of these expected targets will represent a significant response to the recommendations of the NESC Housing Report.

### **Departmental Agencies.**

95. **Mr. Howlin** asked the Minister for the Environment, Heritage and Local Government if he intends to review the Environmental Protection Agency advisory committee in order to avail of the capacity and knowledge that exists within the Irish environmental NGO sector which would appear to be under-represented on the present committee. [16460/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I appointed an



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Advisory Committee to the Environmental Protection Agency in February 2006.

I am satisfied that the Advisory Committee as constituted leaves it well placed to carry out its functions under the Environmental Protection Agency Act 1992. Its membership is broad and balanced both in the seven members appointed from the nominees of the different sectors and professions included in the five nominating panels and in four other members appointed directly by me. Accordingly, I have no proposal to review the composition of the Advisory Committee.

#### **Private Rented Accommodation.**

96. **Ms McManus** asked the Minister for the Environment, Heritage and Local Government if he intends to give the Private Residential Tenancies Board the authority to collect deposits from tenants in order to protect tenants from scams similar to that seen in Dublin in recent weeks and from other unscrupulous practices; and if he will make a statement on the matter. [16477/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** The Commission on the Private Rental Residential Sector, on whose report the Residential Tenancies Act 2004 is based, did not recommend that the Private Residential Tenancies Board (PRTB) should collect and hold tenancy deposits, presumably because of certain practical difficulties associated with the performance of such a function and the requirement for a high degree of co-operation by landlords. It is a statutory function of the Private Residential Tenancies Board to review the operation of the Residential Tenancies Act 2004 and any related enactments and make recommendations to the Minister for amendments, as appropriate. I will consider any such recommendations as well as any suggestions from other sources that may be received, following an adequate period of experience of the operation of the legislation.

*Question No. 97 answered with Question No. 90.*

*Question No. 98 answered with Question No. 54.*

#### **National Spatial Strategy.**

99. **Mr. Ring** asked the Minister for the Environment, Heritage and Local Government if he will provide the most up to date information on the status of the National Spatial Strategy; and if he will make a statement on the matter. [16630/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** At national level substantial progress is being made in imple-

menting the National Spatial Strategy (NSS), which is having an increasing influence on policies and programmes across a range of Government Departments and agencies.

At regional level, a key policy bridge between national development priorities and local planning has been put in place with the adoption of Regional Planning Guidelines to provide a strategic framework for local planning.

At county and city level, strategic land use and planning frameworks for a number of Gateways are in place, with work well advanced on others.

The potential impact of the Strategy in terms of achieving more balanced regional development has been underscored by the Government's decision in July 2005 that the regional dimension of the next National Development Plan, now in preparation, will be broadly based on the NSS. The priorities of the NSS and regional planning guidelines have also been recognised in the Government's 10-year investment plan for transport, Transport 21.

To support the development of the NSS Gateways, my Department in conjunction with Forfas, commissioned a major report, which has now been completed, on their potential for accelerated development in housing, commercial and employment terms and the key infrastructure priorities that will be necessary to facilitate such development. Similar work is also being undertaken in relation to the hubs identified in the NSS. Work on a feasibility study to further develop the concept of an Atlantic Gateways corridor, with enhanced linkages and networking between Cork, Galway, Limerick/Shannon and Waterford is also nearing completion.

Draft Guidelines for Planning Authorities on Development Plans, which I have just published for public consultation, emphasise the importance within such plans of creating a clear strategic framework for the proper planning and sustainable development of the relevant area consistent with the longer-term aims set out in the National Spatial Strategy and regional planning guidelines. Comments on the Draft Guidelines will be accepted from all interested individuals and organisations up to 21 July 2006. All submissions received will be taken into consideration in finalising the Guidelines in the Autumn.

My Department, in cooperation with other relevant Departments, is also pursuing measures to enhance cooperation on spatial planning and infrastructural investment across the island of Ireland, as endorsed by the British-Irish Intergovernmental Conference. As announced following a meeting of the Conference on 2 May, my Department, working in conjunction with the Department of Regional Development in Northern Ireland, is to prepare a framework for collaborative action between the NSS and the Regional Development Strategy for Northern Ireland to assist in creating conditions that will facilitate enhanced competitiveness on the island.



*Question No. 100 answered with Question No. 9.*

*Question No. 101 answered with Question No. 29.*

### **Job Creation.**

102. **Mr. Howlin** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to reports indicating that expectations for new job creation in the construction sector have fallen sharply since the beginning of 2006 in contrast with other sectors; his views on whether this indicates a downturn in the construction sector; and if he will make a statement on the matter. [11284/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** The latest Quarterly National Household Survey data published by the Central Statistics Office shows the level of employment in construction grew moderately by 1.5% in the final quarter of 2005. Employment in the sector is now at a record level of 251,800. It is unrealistic to assume the dramatic increases in construction employment evident in recent times can be continued. My Department will publish shortly the latest edition of the Quarterly Construction Indicators report prepared by independent economic consultants commissioned by my Department. This report confirms the trend in the sector as being towards further growth in 2006. In the final analysis it is the level of demand from the private and public sector combined for the output of the construction sector which is the determinant of the level of activity and associated employment levels in the industry. Given the present sound state of the economy and the projected demographic outlook, significant fall-off in the level of that demand does not appear imminent.

### **Water Quality.**

103. **Ms O'Sullivan** asked the Minister for the Environment, Heritage and Local Government the steps he intends to take to ensure that local authorities have sufficient funds and staff to effectively carry out their functions in relation to water quality; and the measures he intends to put in place to help local authorities to attract and retain enough qualified staff to carry out all their environmental functions. [16467/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** A wide range of measures is in place in order to assist local authorities in the execution of their functions in relation to water quality. For example, the local authorities acting jointly are designated as competent authorities for the implementation of the Water Framework Directive under the European Communities (Water Policy) Regulations 2003. Their task in this regard is being significantly sup-

ported by river basin district projects, led by local authorities but funded by my Department, together with a wide range of research and other projects funded under the National Development Plan. INTERREG funding is also being applied in relation to cross-border projects. My Department has committed funds in excess of €50 million to date to these activities.

A further €2 billion has been invested since 2000 under my Department's Water Services Investment Programme, on the provision of new and upgraded water and wastewater infrastructure. In addition, I am providing some €875m to local authorities in 2006 through general purpose grants from the Local Government Fund. This represents an increase of 7% over the level provided in 2005 and I am satisfied that this funding, together with the income available to local authorities from other sources, will enable them to provide a satisfactory level of services. It is, of course, a matter for each local authority to prioritise its expenditure within the resources available to it and to operate its services as efficiently and effectively as possible.

Local authority staffing increased by over 25% in the period 1997 to 2003. I am continuing to keep the overall employment position in the sector under regular review, having regard to the need to deliver quality front line services and achieve value for money within the parameter of Government policy on public service employment generally.

*Question No. 104 answered with Question No. 39.*

*Question No. 105 answered with Question No. 42.*

### **Social and Affordable Housing.**

106. **Mr. Gormley** asked the Minister for the Environment, Heritage and Local Government if housing construction schemes which received funding from his Department but also qualified for funding from energy efficiency from Sustainable Energy Ireland have had money deducted from their initial Department funding. [16648/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** The setting of budget costs by my Department for the construction of social housing schemes would involve adjustments of funding levels to eliminate duplication of funding sources should there be cases where funding is provided by Sustainable Energy Ireland for energy efficiency measures.

### **Waste Management.**

107. **Ms Lynch** asked the Minister for the Environment, Heritage and Local Government if, in view of the recent rapid increases in inflation,

[Ms Lynch.]

he intends to introduce a national waiver scheme for municipal waste collection for persons on lower incomes. [16461/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Waste collection is properly a local service with individual arrangements being locally determined and tailored to local circumstances. Consequently, the Minister for the Environment has at no time exercised a function in determining waste management charges, or any associated waiver arrangements. The present legal framework, as determined by the Oireachtas, reflects this local nature of waste management services. Under Section 52 of the Protection of the Environment Act 2003 the determination of waste management charges is a matter for the relevant local authority, where it acts as the service provider. Similarly, where a private operator provides the collection service, it is a matter for that operator to determine charges. I do not consider it appropriate to propose a departure from these existing statutory provisions by introducing a national waiver scheme.

However, in order to assist households with lower incomes, I have asked local authorities to engage with commercial waste collectors with a view to agreeing on a scheduling of payments (i.e. a pay-as-you-go system) rather than a periodic lump sum payment. The question of whether there may be public service obligations relating to the waste sector and, if so, how these could be met, has been included in my consideration of possible measures to regulate the sector, which is addressed in Question No. 11 on today's Order Paper.

#### Official Engagements.

108. **Mr. J. O'Keefe** asked the Minister for the Environment, Heritage and Local Government the meetings he has had with the City and County Managers Association in the past year; the topics discussed and decisions made; and if he will make a statement on the matter. [16599/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I met with representatives of the City and County Managers' Association on 12 July 2005 in conjunction with the Management Advisory Committee of my Department. The discussions were broad-ranging covering a number of housing, planning, waste management, local government, financing, performance and service delivery issues. Arrangements are being made for another such meeting with the Association in the near future.

*Question 109 answered with Question No. 23.*

#### Housing Sector.

110. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if estimates have been done to determine the number of first time home buyers likely to be in the market for a home on an annual basis; if research has been done into the way in which such persons are likely to be in a position to house themselves in view of the fact that the shared ownership maximum loan is €185,000 and that the average house price is more than double this; the number of houses of an affordable nature made available through the various schemes and incentives offered by his Department in the past 12 months and based on this, the number likely to be so accommodated in the next 12 months; and if he will make a statement on the matter. [16560/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** It is not possible to estimate reliably the level of demand from particular categories of potential house buyers because this depends on a wide range of demographic, economic, financial and social factors. However, indicative statistical data, based on mortgage lending provided to the Department, suggests that in 2005 45% of mortgages for new houses, and 30% for second hand houses were taken out by first time buyers. While we do not have data on sales of second hand houses, these figures would suggest a sizeable number of first time buyers have been able to buy both new and second hand houses — largely due to this Government's proactive approach to housing matters.

Since 1997 this Government has improved the planning regime; and has invested substantially in serviced land to the extent that more than 5 year's supply of residential land is available nationally. The stamp duty reductions for first time buyers announced in Budget 2005 have assisted affordability for first time buyers. This has helped some first time buyers to afford a starter home who might not otherwise have been able to do so, and has opened up the second hand market to first time buyers, who had previously been deterred by the impact of stamp duty.

Indicative data point to the majority of first time buyers as having paid 13% less than the average price for a house, which for a new house was around €240,000 in the September 2005 quarter — the latest for which Department data have been published. The equivalent price was €306,000 in Dublin.

The shared ownership limit reflects the value of the householder's stake in the property. Over 50% of the shared ownership transactions completed in 2005 were priced at less than €185,000. In the case of transactions completed in 2005 under the Affordable Housing (1999) scheme, almost all were acquired below €185,000. A

further 3,000 have been approved for sale at the end of 2005.

My Department has invested €6.5 billion of Exchequer capital in social and affordable housing schemes, many of which directly benefit first time buyers. As a result of our efforts, some 100,000 households — that equates to about one quarter million people — have benefited from various social and affordable housing programmes. Some 2,900 households have been provided with homes under the various affordable housing schemes last year. It is anticipated that the needs of over 4,000 households will be accommodated in the 12 months to December 2006.

The Government will ensure that effective policies and measures continue to be applied and reviewed as necessary, with the overall aim of meeting the broad spectrum of housing need in the context of balanced and sustainable growth of the housing market.

#### **Greenhouse Gas Emissions.**

111. **Mr. Rabbitte** asked the Minister for the Environment, Heritage and Local Government if he intends to review the decision whereby companies producing environmentally-friendly cement, or green cement, are to be excluded from the emissions trading scheme; and if he will make a statement on the matter. [16459/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Directive 2003/87/EC sets out the categories of activities which are to be included in the EU emissions trading scheme. I am satisfied that the Directive has been properly transposed and is being implemented correctly in Ireland. Accordingly, I do not propose to extend the scope of the scheme to include additional activities.

#### **Architectural Heritage.**

112. **Mr. Stanton** asked the Minister for the Environment, Heritage and Local Government further to Parliamentary Question No. 128 of 14 February 2006, if following the receipt of the steering group report regarding the Irish Heritage Trust, his Department has produced detailed proposals for the Government regarding the structure, governance, terms of reference and membership of the trust; if not, when he expects to publish same; if so, when he expects to make public these proposals; and if he will make a statement on the matter. [16602/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Since the reply to Question No. 128 of 14 February 2006, the Steering Group has given further consideration to their report and submitted some amendments. I am now finalising consideration of this report, and I will shortly advise Government on how pro-

posals for the Trust are to be taken forward. I will announce the details publicly thereafter.

#### **Social and Affordable Housing.**

113. **Mr. Costello** asked the Minister for the Environment, Heritage and Local Government the way in which he intends to ensure that social integration of housing is achieved and that the ghettoisation effect that was prevalent in earlier decades is not repeated in an environment where developers are allowed to buy their way out of their social housing obligations; and if he will make a statement on the matter. [16475/06]

#### **Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):**

A new Housing Policy Framework: Building Sustainable Communities which outlines key principles underpinning housing policy and investment over the coming years was launched last December. The framework proposes an integrated approach to housing in Ireland and firmly places housing policy in the context of building sustainable communities.

The delivery of high quality housing for those who cannot afford to meet their own housing needs is a clear objective of the framework. It is not acceptable that social housing should be compared unfavourably with private housing development. Therefore, we are committed to delivering high quality social housing in mixed community settings. To make a reality of better social housing, the Government will ensure that new housing is designed and planned on quality principles, includes an appropriate housing mix and provides necessary social infrastructure. We will also continue to invest in regeneration and remedial works schemes to improve existing local authority housing and audit of the social housing stock will be undertaken in 2008 to ensure that standards and levels of satisfaction are rising.

In addition, Part V of the Planning and Development Act 2000-2004 requires planning authorities, in developing their housing strategies, to ensure that policies and objectives are in place that will counteract undue social segregation in housing developments. In their negotiations with developers under Part V, local authorities are obliged to ensure that each agreement delivers the best possible result in terms of overall housing supply and social integration for their area.

#### **Greenhouse Gas Emissions.**

114. **Mr. Broughan** asked the Minister for the Environment, Heritage and Local Government the projected estimated cost to the Exchequer per annum for carbon credits if the cost was to rise to €50 per tonne of CO<sub>2</sub>; and if he will make a statement on the matter. [16469/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** As part of an



[Mr. Roche.]

overall response to meeting Ireland's greenhouse gas emissions reduction target for the purposes of the Kyoto Protocol, the Government has stated its intention to purchase carbon allowances over the Protocol commitment period 2008-2012. The ultimate cost to the Exchequer will depend on the final purchasing requirement and the price of carbon when the allowances are actually purchased. The Government has stated its intention to purchase up to a maximum of 3.607m allowances per annum over the 2008-2012 period, but its objective is to reduce this purchasing requirement through the achievement of emissions reductions in the economy.

Since trading commenced in carbon allowances, the price has been volatile, rising at one stage to around €30 but falling again to below €14 by the end of last week. Purchases on behalf of the Government will be made by the National Treasury Management Agency which will apply its expertise in evaluating market trends and forecasts.

In the context of updating national projections of greenhouse gases in the 2008-2012 period, independent consultants ICF Consulting with Byrne Ó Cléirigh have assessed the average price of carbon during the period to be €15 per allowance. At the assessed price of €15, the maximum purchasing requirement would cost €54.1m per annum over the five year period. The equivalent figure, at a hypothetical price of €50, is €180.35m. In each case, these figures would be reduced to the extent that further emission reductions can be achieved.

#### **Hospital Staff.**

115. **Mr. Ferris** asked the Tánaiste and Minister for Health and Children when the necessary staff will be provided to operate a dialysis machine at Kerry General Hospital. [16674/06]

**Tánaiste and Minister for Health and Children (Ms Harney):** The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to have a reply issued directly to the Deputy.

#### **Nursing Home Subventions.**

116. **Mr. Glennon** asked the Tánaiste and Minister for Health and Children the number of companies which responded to the most recent request for expressions of interest in the long stay patients payment refund scheme; the number which were shortlisted; the number of tenders which were received by the closing date; the criteria which was used to assess and nominate

the successful company; and if she will make a statement on the matter. [16675/06]

**Tánaiste and Minister for Health and Children (Ms Harney):** The Health Service Executive (HSE) has responsibility for administering the repayment scheme including the recruitment of an outside company to manage the scheme within the parameters agreed by Government. A procurement team has been established by the HSE which is currently undertaking the procurement process to select an outside company. The time-scale determined by the HSE for the selection process including the appointment of the successful company is mid-May 2006. Specific enquiries relating to the scheme are referred to the Parliamentary Affairs Division of the Executive. My Department has asked the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

117. **Mr. Glennon** asked the Tánaiste and Minister for Health and Children the reason the tender competition for the long stay patents refund scheme was terminated in 2005; the number of companies which replied to the expression of interest notice; the number of companies which were shortlisted and invited to tender; the number of companies which submitted tenders by the closing date; and if she will make a statement on the matter. [16676/06]

**Tánaiste and Minister for Health and Children (Ms Harney):** The Health Service Executive (HSE) has responsibility for administering the national repayment scheme including the recruitment of an outside company to manage the scheme within the parameters agreed by Government. A procurement team was established by the HSE to undertake the procurement process.

Specific enquiries relating to the scheme are referred to the Parliamentary Affairs Division of the Executive. My Department has asked the HSE to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Services for People with Disabilities.**

118. **Mr. N. O'Keeffe** asked the Tánaiste and Minister for Health and Children if her attention has been drawn to the fact that a person (details supplied) in County Cork who applied to the southern Health Service Executive on 13 September 2005 for an occupational therapist to visit and assess their needs in view of their intention to apply to Cork County Council for a disabled persons grant to install a shower has not been visited by the occupational therapist despite the application having been lodged over seven months ago; and the reason for this serious ongoing delay where a person cannot use the existing washing facilities owing to severe arthritis. [16677/06]



**Minister of State at the Department of Health and Children (Mr. T. O'Malley):** The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Ambulance Service.**

119. **Mr. Ring** asked the Tánaiste and Minister for Health and Children if further funding will be provided to the ambulance services to try and improve transport provision for people living in rural isolated areas in order that they get to hospital appointments and so on. [16755/06]

**Tánaiste and Minister for Health and Children (Ms Harney):** The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Health Services.**

120. **Mr. P. Breen** asked the Tánaiste and Minister for Health and Children when a person (details supplied) in County Clare will receive a hospital bed for their home; and if she will make a statement on the matter. [16770/06]

**Minister of State at the Department of Health and Children (Mr. S. Power):** The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, the Department has requested the Parliamentary Affairs Division of the Executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Tribunals of Inquiry.**

121. **Mr. Quinn** asked the Tánaiste and Minister for Health and Children if she has received from the Tribunal of Inquiry into Certain Planning Matters and Payments notification of a decision of the Tribunal under paragraph J (2) of its terms of reference, being a decision to proceed with a public hearing on a matter additional to the matters listed in paragraph J (1) (a) to (g) of those terms of reference; if so, the number of such notifications and the nature of the additional matter or matters; and if she will make a statement on the matter. [16777/06]

**Tánaiste and Minister for Health and Children (Ms Harney):** I assume the Deputy's question relates to my official position as Tánaiste and Minister for Health and Children. My Department has not received any notification of a decision by the Tribunal of Inquiry into Certain Planning Matters pursuant to paragraph J(2) of its amended terms of reference.

I have no official role in relation to any such notifications that may have been issued to individuals on a personal basis. Such individuals are required by the Tribunal not to disclose that fact or the names of other persons written to.

#### **Nursing Home Subventions.**

122. **Mr. McGuinness** asked the Tánaiste and Minister for Health and Children further to previous parliamentary questions and the partial response from the Health Service Executive of 10 March 2006 if the Health Service Executive have reached a decision in the case of a person (details supplied) in County Kilkenny; if a substantial increase in the subvention being paid will be approved as the family member cannot afford to pay what is presently being requested; and if she will make a statement on the matter. [16794/06]

**Minister of State at the Department of Health and Children (Mr. S. Power):** The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

#### **Health Services.**

123. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children her views on whether she should take up the offer made by the Galway Clinic 11 February 2003 to provide a BreastCheck service until the unit was built in Galway; if BreastCheck cannot be fast-tracked before 2007 if she will allow the Galway Clinic to provide a breast screening service in the meantime; and if she will make a statement on the matter. [16797/06]

**Tánaiste and Minister for Health and Children (Ms Harney):** BreastCheck, the National Breast Screening Programme, commenced in 2000 with the programme covering the former Eastern, North Eastern and Midland Health Board regions. In 2003 the extension of the programme to counties Carlow, Kilkenny and Wexford and the national expansion of the programme to the rest of the country was announced. Screening commenced in Wexford in March 2004, in Carlow in April 2005 and in Kilkenny in March this year.

[Ms Harney.]

I informed the Deputy last week of my meeting with representatives of BreastCheck and of my wish to have the programme rolled out to the remaining regions of the country as quickly as possible. €2.3 million was made available to BreastCheck this year to provide among other things for the early recruitment and training of staff. The interview process for the posts of Clinical Directors is now completed and BreastCheck has also commenced the recruitment process for other essential staff. The notice for the procurement of the construction company for the new clinical units in Cork and Galway has been published in the EU Journal and the Design Team is now in the process of short listing applicants. Following the selection of the contractor, construction of the units can commence. BreastCheck is confident that the target date of next year for the commencement of the national roll out will be met. On full roll out, all women in the target age group in every county will have access to breast screening and follow up treatment where appropriate.

Any proposal received by BreastCheck to support the roll out of its screening programme is carefully examined to assess the extent to which it complies with existing standards. As I informed the Deputy last week, BreastCheck has advised my Department that it has engaged in extensive discussions with the Galway clinic. BreastCheck has conducted an evaluation of this proposal and has concluded that the clinic in question would not be in a position to provide a population based screening programme in line with BreastCheck's requirements.

#### **Drugs Payment Scheme.**

124. **Dr. Cowley** asked the Tánaiste and Minister for Health and Children her views on Parliamentary Question No. 165 of 5 April 2006 namely that the drugs in question were given on a prescription basis by a consultant dermatologist in place of cortisone or steroid prescription medication; her further views on whether natural prescriptions when prescribed by a consultant are a better idea; if, in view of this she will consider including same on the drugs repayment scheme and the medical card scheme. [16798/06]

**Tánaiste and Minister for Health and Children (Ms Harney):** As previously stated, the common list of reimbursable medicines for the General Medical Services and Drug Payment Schemes is reviewed and amended monthly, as new products become available and deletions are notified. For an item to be included on the list, it must comply with published criteria, including authorisation status as appropriate, price and, in certain cases, the intended use of the product. In addition, the product should ordinarily be supplied to the public only by medical prescription and should not be advertised or promoted to the public. A copy of the criteria will be forwarded to the

Deputy for his information. As the products referred to by the Deputy are available without prescription they cannot be considered for inclusion on the common list of reimbursable drugs and medicines. People with a medical card who are experiencing financial difficulty in obtaining the products concerned should contact the local office of the Health Service Executive.

#### **Health Services.**

125. **Mr. F. McGrath** asked the Tánaiste and Minister for Health and Children if she will examine the positive and sensible strategies in the Cuban primary care doctor services when developing general practitioner services. [16821/06]

**Tánaiste and Minister for Health and Children (Ms Harney):** I have not had any contact with the Cuban Authorities in relation to seeking advice on health matters, but I will bear the Deputy's suggestion in mind.

126. **Mr. English** asked the Tánaiste and Minister for Health and Children the number of adults and the number of children currently waiting for physiotherapy services in the community of County Meath; the average waiting time for adults and children to be assessed; if she will remove the employment ceiling in order to allocate extra staff necessary to more equitably meet the needs of the increased referral rates to physiotherapy services in Meath; and if she will make a statement on the matter. [16827/06]

**Tánaiste and Minister for Health and Children (Ms Harney):** The Deputy's question relates to the management and delivery of health and personal social services, which are the responsibility of the Health Service Executive under the Health Act 2004. Accordingly, my Department has requested the parliamentary affairs division of the executive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

In relation to the employment ceiling, approved employment levels for the health service have been adjusted since 2002 in line with Government policy on public sector employment and also to take account of specific policy measures aimed at increasing service levels. It is a matter for the Health Service Executive, as part of its management of its employment ceiling, to determine the appropriate staffing mix required to deliver its service plan priorities.

I have repeatedly stressed the need for compliance with approved employment levels consistent with safeguarding and indeed enhancing the delivery of front line services and achieving an appropriate balance between clinical and non-clinical employment levels. The Deputy will wish to note that my Department's Health Service Personnel Census shows that there were 1,258 physiotherapists employed at end December,

2005. This compares with a figure of 896 physiotherapists at end 2001, and represents an increase of 362 or more than 40% over that period. (All figures expressed as whole-time equivalents.)

#### Departmental Committees.

127. **Mr. Kenny** asked the Tánaiste and Minister for Health and Children if she will provide a list of the membership of her Department's audit committee; and if she will make a statement on the matter. [17017/06]

**Tánaiste and Minister for Health and Children (Ms Harney):** I would like to inform the Deputy that the Audit Committee consists of five members, two of whom are external to the Department. The current members are:

External:	Mr. Ronan Tierney (Chairman) Mr. Brian Cawley
Internal:	Mr. John Collins (CEO, Adoption Board) Mr. Kevin Conlon (Principal Officer) Vacancy (to be filled shortly)

#### Flood Relief.

128. **Mr. Durkan** asked the Minister for Finance when he expects the discussions between his Department and Kildare County Council to be finalised with a view to the implementation of flood relief measures at Mill Lane, Leixlip, County Kildare; and if he will make a statement on the matter. [16799/06]

**Minister of State at the Department of Finance (Mr. Parlon):** In light of the flooding problems in Leixlip and development pressures in the surrounding area the Office of Public Works has agreed to undertake a Local Catchment Flood Risk Assessment and Management (CFRAM) Study for the Rye River, encompassing the towns of Leixlip, Maynooth and Kilcock. This will ultimately form part of a Catchment Flood Risk Assessment and Management for the entire Liffey Catchment, which it is planned to undertake at a later stage. This will necessitate the formation of a Steering Committee to oversee the project and will include personnel from both the Office of Public Works and Kildare County Council. Works will begin as soon as possible.

Kildare County Council are continuing with studies currently underway by ESBI in Leixlip and environs. The content of these studies is a matter for the Local Authority as they were not undertaken at the behest of OPW. However, the Commissioners of Public Works will be willing to consider, with Kildare County Council, whether elements of work recommended by the studies could be regarded with reasonable certainty, as likely to be compatible with the recommendations of the Rye CFRAM study. OPW is willing to consider providing funding to Kildare

County Council to carry out such works if they can be shown to be economically and environmentally sustainable.

#### Dormant Accounts Fund.

129. **Mr. McGinley** asked the Minister for Finance if in cases in which persons without dependents die and there is no will in place, there is legislation, current or pending, whereby the estate or moneys of such persons can be donated to local charities; and if he will make a statement on the matter. [16697/06]

**Minister for Finance (Mr. Cowen):** Where a person dies intestate and with no known next-of-kin, the estate of that person passes to the State. Under Section 73 of the Succession Act, 1965, the Minister for Finance has power to waive the States interest in such an estate. A charity could benefit from such a waiver if it could show that it had performed services for the deceased or that the deceased had expressed a wish that the charity should benefit from his estate.

The proceeds of estates which fall to the State under the Succession Act, 1965, are paid into the Intestate Estates Fund Deposit Account. Under Section 36 of the State Property Act, 1954 as amended by Section 28 of the Dormant Accounts Act, 2001 the Minister for Finance may transfer monies from the Intestate Estates Fund Deposit Account into the Dormant Accounts Fund whose proceeds are used for charitable purposes. Any charity, voluntary or community organisation may apply for funding to the Dormant Accounts Fund. In 2006 the Dormant Accounts Fund is due to disburse some €60m to such organisations. Further information about the scheme and its administration may be found on the Pobal website at [www.pobal.ie](http://www.pobal.ie).

#### Departmental Committees.

130. **Mr. Kenny** asked the Minister for Finance if he will provide a list of the membership of his Department's audit committee; and if he will make a statement on the matter. [16699/06]

**Minister for Finance (Mr. Cowen):** The membership of the Department of Finance's Audit Committee is:

- Mr. Michael Flynn (Chairperson), National Director of Internal Audit, Health Services Executive.
- Mr. Peter Crilly, Director of Operational Risk, Bank of Scotland (Ireland) Limited.
- Ms Anne Vaughan, Principal Officer, Department of Social and Family Affairs.
- Mr. Aidan Dunning, Assistant Secretary, Department of Finance.
- Ms Judith Brady, Principal Officer, Department of Finance.

### Departmental Expenditure.

131. **Dr. Cowley** asked the Minister for Finance if the €3.9 billion underspend in the Border Midland Western region will be invested thus recognising the fact that this region has never been allowed to reach its full potential; his plans for this region in the coming 12 months; and if he will make a statement on the matter. [16762/06]

132. **Dr. Cowley** asked the Minister for Finance his views on the gross underspend in the Border

Midland Western region as outlined in the mid-term review of the National Development Plan; and if he will make a statement on the matter. [16763/06]

**Minister for Finance (Mr. Cowen):** I propose to take Questions Nos. 131 and 132 together.

Table 1 sets out the indicative expenditure profiles and the estimated expenditure incurred under each operational programme in the Border, Midland and Western (BMW) Region for the period ending December 2005.

Table 1 — Total Profiled and Estimated Expenditure in BMW Region  
January 2000 to end December 2005

Operational Programme	Original Profile	Estimated Expenditure	Expenditure versus Profile
	€m	€m	%
Economic and Social Infrastructure	5,863	5,435	92
Employment & Human Resources Development	3,653	3,449	94
Productive Sector	2,663	786	29
Border, Midlands & Western Regional	3,519	2,273	64
PEACE II & Technical Assistance	146	109	74
Total Expenditure	15,844	12,052	76

Profiles and Expenditure data includes all NDP sources of funding; Exchequer, EU and Private. Gross expenditure is running some €3.8 billion behind the original profiles for the period. The

Exchequer profile and estimated Exchequer expenditure incurred under each operational programme in the BMW Region is set out in Table 2.

Table 2 — Profiled and Estimated Exchequer Expenditure in BMW Region  
January 2000 to end December 2005

Operational Programme	Original Profile	Estimated Expenditure	Expenditure versus Profile
	€m	€m	%
Economic and Social Infrastructure	4,054	4,570	113
Employment and Human Resources Development	3,654	3,495	96
Productive Sector	1,741	600	34
Border, Midlands & Western Regional Programme	2,566	1,920	75
PEACE II & Technical Assistance	146	109	74
Total Exchequer Expenditure	12,161	10,694	88

The Deputy will note from the data presented in Table 2 that the Exchequer contribution to the BMW Region under the key Economic and Social Infrastructure Operational Programme (ESIOP) has exceeded its target. Performance of the Employment and Human Resource Operational Programme (EHROP) is on course to meet its end 2006 target. Both programmes are likely to achieve the NDP targets for Exchequer expenditure when account is taken of EU co-funded activity in 2007 and 2008.

The performances of the Productive Sector and the BMW Regional Operational Programmes remain disappointing due to the factors I outlined

in my reply to Question Number 299 on 21 March 2006. The Deputy should be aware that this level of performance is broadly similar for the Productive Sector and the Regional Operational Programme in the Southern and Eastern Region. It is unlikely that the expenditure targets for these programmes will be achieved for either Region by the end of 2006.

With respect to the Structural Funds, I have asked that priority should be given to expenditure on EU co-funded measures. This will ensure that Ireland's full entitlements to Structural Funds will be drawn down for both regions.



The Deputy may wish to note that the ambitious targets set for private sector investment under the NDP in the BMW Region is estimated to represent approximately €1.3 billion of the overall shortfall in expenditure against the original profiled targets.

#### **Tax Code.**

133. **Mr. Connaughton** asked the Minister for Finance if his attention has been drawn to the crippling cost of VAT on home heating oil; if his attention has further been drawn to the fact that there is €70 VAT on 300 litres of home heating oil; if his attention has further been drawn to the fact that this is a huge burden on the elderly; his plans to either reduce or remove the VAT; and if he will make a statement on the matter. [16764/06]

**Minister for Finance (Mr. Cowen):** Fuel prices, including home heating oils, are driven by a number of factors, such as the price of oil and gas on the internal markets, exchange rates, production costs and refining costs. The rise in fuel prices over recent periods reflect additional factors such as geopolitical uncertainty, supply disruptions and strong economic growth in countries such as China. Mineral Oil taxes are, of course, a factor influencing fuel prices.

I am informed by the Revenue Commissioners that the VAT on 300 litres of home heating oil amounts to approximately €24. In relation to the scope for reducing or removing VAT on supplies of heating oil to old age pensioners, the position is the VAT rating of goods and services is subject to the requirements of EU VAT law with which Irish VAT law must comply. In addition, the rate of VAT that applies to a particular good or service is determined by the nature of the good or service, and not by the status of the customer. The VAT treatment of heating oil is based on the fact that on 1 January 1991 it was taxed at the reduced rate which in Ireland is 13.5%. There is no provision in European VAT law that would allow for either the reduction or removal of VAT on supplies of home heating oil to old age pensioners.

In Budget 2006 I halved the excise rates for Kerosene and LPG used for home heating and also announced in advance that these excise rates will be reduced to zero in next year's Budget.

#### **Fishing Fleet Modernisation.**

134. **Mr. Deenihan** asked the Minister for Communications, Marine and Natural Resources if funding will be provided to bring the mussel boats at Cromane, County Kerry up to an acceptable standard necessary to operate in the safety of smooth shallow waters such as Castle Maine Harbour; and if he will make a statement on the matter. [16718/06]

**Minister of State at the Department of Communications, Marine and Natural Resources (Mr. Browne):** The type of support to which the Deputy refers would come under the category of funding for the Renewal of Fishing Vessels. Current EU policy precludes the payment of grant aid towards renewal of all categories of fishing vessels. Accordingly, the payment of this type of grant aid to mussel boats is not permitted.

However, a grant aid scheme to support the purchase of safety equipment for fishing vessels is currently being administered by Bord Iascaigh Mhara. This grant scheme covers 40% of the cost of equipment, includes lifesaving, fire fighting, navigational and occupational safety equipment. Details of this grant scheme is available from BIM and can be downloaded together with application forms from the BIM website at [www.bim.ie](http://www.bim.ie).

#### **Alternative Energy Projects.**

135. **Mr. Eamon Ryan** asked the Minister for Communications, Marine and Natural Resources if he intends to extend the greener homes domestic grant scheme to domestic windmills; and the reason for their exclusion to date from the scheme. [16722/06]

**Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):** On 27 March I launched the "Greener Homes" grant aid package for the domestic sector which includes funding for wood chip and wood pellet boilers and stoves, solar and heat pump technologies. Grant aid of €1,100 to €6,500 will be provided depending on the individual technology used. The focus of the domestic grants scheme is on renewable energy for heating purposes with the specific objective of developing a sustainable market for renewable heat technologies.

Sustainable Energy Ireland (SEI) has published a study on the metering options for Small Scale Renewable electricity and Combined Heat & Power Generation (CHP) in Ireland. The study identified a number of areas which require further analysis including the ability of such processes to secure adequate payment for their exports; connection standards and processes for smaller generators, and the implications of the single electricity market for small-scale electricity generation. SEI is commissioning work to address these issues in 2006 and this will inform further policy decisions in relation to domestic wind turbines.

#### **Tribunals of Inquiry.**

136. **Mr. Quinn** asked the Minister for Communications, Marine and Natural Resources if he has received from the Tribunal of Inquiry into Certain Planning Matters and Payments notification of a decision of the Tribunal under paragraph J (2) of its terms of reference, being a

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decision to proceed with a public hearing on a matter additional to the matters listed in paragraph J (1) (a) to (g) of those terms of reference; if so, the number of such notifications and the nature of the additional matter or matters; and if he will make a statement on the matter. [16779/06]

**Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):** I assume the Deputy's question relates to my official position as Minister for Communications, Marine and Natural Resources. My Department has not received any notification of a decision by the Tribunal of Inquiry into Certain Planning Matters pursuant to paragraph J(2) of its amended terms of reference.

I have no official role in relation to any such notifications that may have been issued to individuals on a personal basis. Such individuals are required by the Tribunal not to disclose that fact or the names of other persons written to.

#### Departmental Committees.

137. **Mr. Kenny** asked the Minister for Communications, Marine and Natural Resources if he will provide a list of the membership of his Department's audit committee; and if he will make a statement on the matter. [17018/06]

**Minister for Communications, Marine and Natural Resources (Mr. N. Dempsey):** The Department has had in place an Audit Committee since July 1999. The Committee is chaired by an external member and there are two other external members on the committee (see list of current members below). In addition there are three internal staff members including the Chief Engineer and two Assistant Principal Officers. There is currently one vacancy to be filled. The Committee is set up under a written charter dated and signed by the Secretary General and the then chair of the Committee in February 2003 (see copy below). The Committee has met 37 times to date and has recently presented to the Secretary General, a formal report for 2005.

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#### Membership of the DCMNR Audit Committee

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Dr. Ciarán Ó hÓgartaigh, Chairperson of the Audit Committee Associate Dean for Research and Graduate Studies & Irish Life Senior Lecturer in Accounting at DCU

Ms. Siobhán Fay Hibernian General Insurance

Mr. Bill Morrissey Assistant Principal Officer Broadcasting Policy Division, DCMNR

Mr. John King Assistant Principal Officer Corporate Governance Unit, DCMNR

Fiona Kilcullen Head of Internal Audit Department of Enterprise, Trade and Employment

Dr. Gerard Farrell Chief Engineer, DCMNR

Vacancy

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#### *Department of Communications, Marine and Natural Resources*

#### *Audit Committee Charter and Terms of Reference*

This document sets out the Charter and Terms of Reference of the Audit committee of the Department of Communications, Marine and Natural Resources.

#### *Role of the Audit Committee*

1. The Audit Committee is part of the on-going systematic review of the business control and corporate governance procedures within the Department. It considers the adequacy of the control framework within the Department of Communications, Marine and Natural Resources and such organisations under its aegis. The role of the Audit Committee is to oversee and advise on matters relating to (a) the operations and development of the internal audit function; (b) the annual audit plan ensuring that it complies with the stated role of internal audit in relation to public funding (National and EU), (c) the business control and risk management environment, and (d) the relationship with external audit and other relevant consultancies.
2. The Audit Committee is not responsible for any executive function and is not vested with any executive powers.

#### *Membership*

3. The Audit Committee shall consist of a Chair and not less than four ordinary members who shall be appointed by the Secretary General by virtue of their experience in fields of expertise relevant to the function of the Committee.
4. Appointments to the Committee shall normally be, unless otherwise decided by the Secretary General, for a period of three years but should not exceed a period of five years.

#### *Duties of the Audit Committee*

5. The duties of the Audit Committee shall be:
  - To consider the draft annual Internal Audit Plan.
  - To monitor implementation of the Plan.
  - To protect the independence of the Internal Audit Function, within the Department.
  - To review the significant findings and the recommendations of the Internal Audit Unit and to monitor the action taken by management to resolve any issues that have been identified.
  - To monitor the performance of the Internal Audit Unit, within the Department.

- To approve a charter for Internal audit which clearly defines its mission, authority, roles, responsibilities and other reporting relationships.
- To request special reports from Internal Audit as considered appropriate.
- To advise and make recommendations to the Secretary General and the Management Committee on any matters pertaining to the internal audit function within the Department that the Committee considers necessary or appropriate including its overall effectiveness, organisation, resources, training, use of technology, etc.
- To communicate with the Secretary General and Management Committee in relation to any significant shortfalls in the business control and/or risk management environments that come to the attention of and are of concern to the Audit Committee.
- To consider the findings and comments of the Comptroller and Auditor General published in their annual report on the Appropriation account and other C&AG Reports.
- To consider and where appropriate advise on, the procedures and policies used in the preparation of the annual Appropriation Account.
- To consider any reports from the European Court of Auditors or the European Commission in relation to co-financed expenditures within this Department.
- To review any Value for Money Reports that are undertaken by Internal Audit or any other Division within the Department.

#### *Meetings*

6. Not less than four meetings of the Audit Committee shall take place in each calendar year.
7. A quorum of five with no less than two external members will be required for each meeting.
8. If a vote is required on any issue a simple majority of all the members present, including the Chair will carry the motion, with the Chair having a casting vote in the event of a tie.
9. The Head of Internal Audit and such other officials from the Department as the Committee may require shall attend Committee meetings.
10. Minutes of the meetings shall be approved by the Chair and circulated as early as possible after the meeting to members of the Audit Committee and to the Secretary General.

#### *Reporting*

11. Within three months of the end of each calendar year, the Audit Committee shall formally report in writing to the Secretary General outlining its activities during the year together with such advice and recommendations, as it may deem appropriate.

#### *Authority/Independence*

12. The Audit Committee shall exercise an advisory role in relation to its duties and functions within the Department.
13. The Committee may, following agreement with the Department, obtain outside legal or other independent professional advice and secure the attendance at Committee meetings of outsiders with relevant experience and expertise, if it considers this necessary.
14. The Audit Committee shall be independent in the performance of its duties and the Committee and its members shall not be subject to the direction of any person in the performance of their duties.
15. The members of the Audit Committee shall be fully briefed and kept up to date on any significant matters relating to their role and duties.
16. The Audit Committee shall have the right of access to the Secretary General.

#### *Amendment of Charter*

17. The Charter may be amended or updated in joint consultation between the Secretary General and the Audit Committee.

#### **Foreign Conflicts.**

138. **Ms Harkin** asked the Minister for Foreign Affairs the action the Government are taking to help stop the systematic killings in Sudan, Darfur; and if he will make a statement on the matter. [16757/06]

#### **Minister for Foreign Affairs (Mr. D. Ahern):**

The ongoing violence in the Darfur region of Sudan continues to be a matter of grave concern. Recent reports of an apparent offensive by the Government of Sudan and allied forces in the area around the town of Gereida in South Darfur are particularly alarming.

It is clear that only an agreed political solution will lead to a lasting solution to the humanitarian crisis in the region. Ireland, together with our partners in the EU, fully supports the African Union's (AU) efforts to finalise speedily an agreement at the peace talks in Abuja. The AU mediation team submitted a comprehensive draft peace agreement on 25 April. This proposal covers power- and wealth-sharing as well as security arrangements. The original deadline for signature of the agreement expired on 30 April. At the request of the parties, an extension was agreed until 2 May and a further extension has since been agreed until the evening of 4 May. The

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Government of Sudan has announced that it is ready to sign the agreement and that it will immediately begin to abide by its terms. In the meantime, it is incumbent on all the parties to the talks to continue to negotiate in good faith and also to honour all existing commitments and cease any violations of the current cease-fire agreement.

The engagement of the international community in the talks is a positive sign of support for the people of Darfur. The EU Special Representative on Sudan, Pekka Haavisto, has been active in Abuja. International pressure needs to be maintained in support of the current AU mediation efforts and against those impeding the achievement of a Darfur peace agreement. I therefore welcome the travel ban and financial sanctions imposed on 25 April by the United Nations Security Council in Resolution 1672 (2006) against four individuals who have contributed to the deterioration of the situation in Darfur.

Until a UN peacekeeping mission is sent to Darfur, the AU Monitoring Mission in Sudan (AMIS) will play a key role in verifying the implementation of the security elements of any peace agreement. AMIS has already played a valuable role in creating a favourable environment for the political process and in helping to stabilise the security situation. Three members of the Permanent Defence Forces are currently serving with AMIS in support roles. On 10 March 2006 the AU's Peace and Security Commission (PSC) reiterated its support for transition from AMIS to a UN peace-keeping operation in Darfur. The aim of such a UN mission would be to support implementation of a Darfur peace agreement and consolidate the achievements of AMIS. The AU PSC also agreed to extend AMIS's mandate until September, which will permit the UN to carry out thorough planning for the transition in co-operation with the AU and the EU. It is important that the Government of Sudan should facilitate an early assessment mission by the UN in this regard.

Ireland and the EU fully support the AU's role in Darfur. In 2004-5, Ireland contributed €1.5 million to humanitarian, human rights and policing aspects of the AMIS mission, with over €160 million in support from the EU through the African Peace Facility. The EU will shortly provide a further €50 million to support AMIS.

In 2005 Ireland provided almost €3 million in emergency funding for humanitarian needs in Darfur alone and over €2 million has been provided so far this year for the same purpose. The Government is deeply concerned at the ongoing difficulties UN organisations and NGOs are experiencing in securing access to vulnerable populations throughout Sudan and notes statements by UN Special Representative Jan Pronk to the effect that rebel militia attacks on humani-

tarian workers in Darfur may force the suspension of assistance. At Ireland's initiative, EU Ambassadors in Khartoum have been requested to raise the need for improved humanitarian access directly with the Sudanese authorities.

139. **Aengus Ó Snodaigh** asked the Minister for Foreign Affairs if his attention has been drawn to further recent attacks by Turkish police and military on Kurdish civilians in which seven civilians were killed and hundreds more injured and arrested including children; if this will impact on Turkish prospects for EU membership; and the steps he has taken or will take to raise this issue at an international level. [16834/06]

**Minister for Foreign Affairs (Mr. D. Ahern):** I am aware of, and share the Deputy's concern at, the disturbing reports of violence in Southeast Turkey, particularly in recent weeks. The security situation in the Southeast, which had gradually improved since 1999, has become increasingly difficult in recent months since the resumption of violence by the PKK, an organisation which appears on the EU list of terrorist organisations.

This has led to frequent clashes between the security forces and armed groups and has resulted, tragically, in a substantial number of casualties, including fatalities. Over recent weeks, very regrettably, there have also been a number of civilian deaths. Following the recent violence, on 5 April the Turkish Parliament discussed the matter. While announcing that new anti-terrorism measures will be introduced, the Turkish Government stated its determination to respect human rights and freedoms while pursuing its fight against terrorism.

The Government's concerns about the human rights situation in Turkey, including the situation of some 15 million people of Kurdish ethnic origin, are raised on a regular basis in our contacts with the Turkish Government and its representatives, and in cooperation with our partners in the EU.

In recent years, Turkey has made significant progress in the adoption of wide-ranging political and legal reforms. Important human rights reforms have been introduced and legislation has been enacted aimed at strengthening the enforcement of fundamental rights. These reforms include enhancing the cultural rights of all citizens, including those of Kurdish origin. In this context, I welcome developments currently underway to provide broadcasting in the Kurdish language.

The EU opened accession negotiations with Turkey on 3 October 2005 and in its 2005 Enlargement Strategy Paper, the European Commission emphasised that the EU will remain firm in demanding that aspiring members fulfil all the requirements of membership before they join. Throughout the accession process Turkey will be expected to sustain the process of reform which



it has already begun, including support for economic development in Southeast Turkey, and to work towards further improvements. In its 2005 progress report on Turkey, the Commission noted that progress on reform had been slow and uneven.

Together with the Commission and our EU partners, and through our Embassy in Ankara, we will continue to monitor the situation and to stress the importance of adherence to the standards enshrined in the European Convention on Human Rights.

#### **Departmental Committees.**

140. **Mr. Kenny** asked the Minister for Foreign Affairs if he will provide a list of the membership of his Department's audit committee; and if he will make a statement on the matter. [17019/06]

**Minister of State at the Department of Foreign Affairs (Mr. C. Lenihan):** The members of the Department of Foreign Affairs' Audit Committee are: John G. O'Connor (Chairperson), John S. Pittock, John A. Jackson and Valerie Little.

This independent exclusively external Audit Committee was established in November 2003. It has responsibility for both Votes of the Department. The Committee supports the Accounting Officer by reviewing and monitoring the risk management, internal control and governance processes which have been established in the Department.

Members of the Audit Committee are wholly independent and are appointed by and report to the Secretary General of the Department. The Committee, which reports annually, oversees the audit work of the Evaluation and Audit Unit of the Department. It holds regular meetings. It has access to all audit reports and other records and documents of the Department, and hears presentations by Department officials.

#### **Sports Capital Programme.**

141. **Mr. Neville** asked the Minister for Arts, Sport and Tourism when there will be details of the applicants who will be granted funds under 2006 sports capital programme. [16688/06]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** The national lottery-funded sports capital programme, which is administered by my Department, allocates funding to sporting and community organisations at local, regional and national levels.

Applications for funding under the 2006 programme were invited through advertisements in the Press on November 27th and 28th last. The closing date for receipt of applications was January 20th 2006. A total of 1,338 applications for projects costing €670 million and seeking funding of €312 million were received. All of these applications, ranging in project cost from

€500 to €25 million are currently being evaluated against the programme's detailed assessment criteria, which are outlined in the guidelines, terms and conditions of the programme. I intend to announce the grant allocations for the programme as soon as possible after the assessment process has been completed.

#### **Departmental Committees.**

142. **Mr. Kenny** asked the Minister for Arts, Sport and Tourism if he will provide a list of the membership of his Department's audit committee; and if he will make a statement on the matter. [17020/06]

**Minister for Arts, Sport and Tourism (Mr. O'Donoghue):** The current membership of my Department's Audit Committee comprises: Mr. Sean Dorgan, Chief Executive, IDA Ireland (Chair); Ms Marie Cross, Assistant Secretary, Department of Foreign Affairs; Mr. Brian McDonnell, Former CEO, Irish Aviation Authority; Mr. Joe Timbs, Principal Officer, Department of Arts, Sports and Tourism. The Internal Auditor of my Department acts as Secretary to the Committee.

The Audit Committee, which was established in 2004, works closely with the Secretary General of my Department, and my Department's Internal Audit Unit, agreeing audit programmes year on year. They generally meet on a number of occasions each year, to review these audit programmes, examine reports completed, and to appraise progress made on integrating risk management into the Department's business processes.

#### **Work Permits.**

143. **Ms Harkin** asked the Minister for Enterprise, Trade and Employment his plans to include accountants in the list of approved professions for work visas; if so, the time scale for same; and if he will make a statement on the matter. [16672/06]

**Minister for Enterprise, Trade and Employment (Mr. Martin):** I do not intend to extend the working visa/work authorisation scheme at this stage.

In my opening address on the Second Stage of the Employment Permits Bill 2005 on 12th October 2005 I announced that the current procedures for granting working visas / work authorisations will be phased out and replaced by a new Green Card system. As I indicated on that occasion, Green Cards will be awarded for occupations where there are skills shortages, which will be for a restricted list of occupations in the annual salary range from €30,000 to €60,000 and for a more extensive list of occupations in the annual salary range above €60,000. Green Cards will be issued for two years initially, with the

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possibility of permanent or long-term residence after that. It is intended to introduce these arrangements and the occupations to which they will apply later this year.

#### Employment Rights.

144. **Mr. Ferris** asked the Minister for Enterprise, Trade and Employment the number of visits which were made by his Department's inspectors in County Kerry between 1 January 2005 and to the most recent date available. [16673/06]

**Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen):** Since 1 January, 2005 the Labour Inspectorate has carried out 218 inspections/visits in County Kerry.

#### Agri-Food Sector.

145. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment the level of formal interaction between his Department and the Department of Agriculture and Food in relation to the development of the agri-food sector; the number of meetings which have taken place between officials from each Department in relation to this issue over the past twelve months; and if he will make a statement on the matter. [16731/06]

**Minister for Enterprise, Trade and Employment (Mr. Martin):** My Department enjoys an excellent relationship with the Department of Agriculture and Food especially with regard to the agri-food sector. Contacts between officials of my Department and the Department of Agriculture and Food are numerous both in terms of occasions and channels.

Officials from both departments attend such meetings as the Monitoring Committee of the Productive Sector Operational Programme under the National Development Plan, the National Functional Foods Forum, and various Enterprise Ireland committees including the Investment Committee and the Productivity Improvement Fund Committee.

Constant and productive dialogue is maintained between the departments which is also reflected between the agencies of each department. Enterprise Ireland and Bord Bia work closely together on developing the agri-food sector and have formalised coordination in this regard through a Memorandum of Understanding agreed between the two agencies.

My Department will continue to work with the Department of Agriculture and Food to ensure that Ireland's agri-food sector is able to successfully compete in international markets.

146. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment the aspects of the Enterprise Strategy Group Report, which relate to the agri-food sector which are being developed by his Department; and if he will make a statement on the matter. [16732/06]

**Minister for Enterprise, Trade and Employment (Mr. Martin):** Rather than providing policy prescriptions for separate sub sectors of the enterprise economy, the Enterprise Strategy Group's report presented a strategic approach to strengthening the competitiveness of the enterprise sector. In this context the Group proposed a range of recommendations to change broad enterprise policy and the way important supports are delivered to enterprise by the development agencies that report to my Department.

No specific recommendations of the Enterprise Strategy Group's report, Ahead of the Curve — Ireland's Place In The Global Economy, were addressed specifically to the agri-food sector. However, the changes taking place arising from the Government's ESG Action Plan and Enterprise Ireland's new strategy to transform Irish industry will improve the capacity of all firms to grow and compete in global markets.

147. **Mr. Naughten** asked the Minister for Enterprise, Trade and Employment the amount of funding allocated each year from 2002 to date by a company (details supplied) for the agri-food sector; and if he will make a statement on the matter. [16742/06]

**Minister for Enterprise, Trade and Employment (Mr. Martin):** Science Foundation Ireland, the State Agency with responsibility for funding oriented basic research's, total commitment in Biotechnology to date is €200 million. Of this commitment, the investment in the Agri-Food sector is €22.7M (or 11.35%). This can be broken down by year as follows:

Year	Award
	€
2002	3,503,707
2003	17,036,829
2004	1,082,770
2005	1,070,682
2006	None to date
Total	22,693,988

#### Tribunals of Inquiry.

148. **Mr. Quinn** asked the Minister for Enterprise, Trade and Employment if he has received from the Tribunal of Inquiry into Certain Planning Matters and Payments notification of a decision of the Tribunal under paragraph J

(2) of its terms of reference, being a decision to proceed with a public hearing on a matter additional to the matters listed in paragraph J (1) (a) to (g) of those terms of reference; if so, the number of such notifications and the nature of the additional matter or matters; and if he will make a statement on the matter. [16782/06]

**Minister for Enterprise, Trade and Employment (Mr. Martin):** I assume the Deputy's question relates to my official position as Minister for Enterprise, Trade and Employment.

My Department has not received any notification of a decision by the Tribunal of Inquiry into Certain Planning Matters pursuant to paragraph J(2) of its amended terms of reference.

I have no official role in relation to any such notifications that may have been issued to individuals on a personal basis. Such individuals are required by the Tribunal not to disclose that fact or the names of other persons written to.

#### Employment Agencies.

149. **Aengus Ó Snodaigh** asked the Minister for Enterprise, Trade and Employment the number of persons registered with recruitment agencies each year since 1995. [16830/06]

**Minister of State at the Department of Enterprise, Trade and Employment (Mr. Killeen):** The figures requested by the Deputy are not available in the Department of Enterprise, Trade and Employment.

A Report published recently by the European Foundation for the Improvement of Living and Working Conditions entitled Temporary agency work in an Enlarged European Union estimated the number of employees in Ireland employed on temporary agency work in 2004, at 25,000 persons.

I should however, point out that, many agency workers may be on the books of a number of different employment agencies at the same time.

#### Departmental Committees.

150. **Mr. Kenny** asked the Minister for Enterprise, Trade and Employment if he will provide a list of the membership of his Department's audit committee; and if he will make a statement on the matter. [17021/06]

**Minister for Enterprise, Trade and Employment (Mr. Martin):** The Audit Committee of my Department has five members. It is chaired by Mr. Dermot Quigley former Chairman of the Revenue Commissioners and includes the Head of Internal Audit from a Government Agency and three senior Departmental officials.

151. **Mr. Kenny** asked the Minister for Social and Family Affairs if he will provide a list of the membership of his Department's audit commit-

tee; and if he will make a statement on the matter. [17022/06]

**Minister for Social and Family Affairs (Mr. Brennan):** The Audit Committee in my Department was established in 2000.

The role of the Audit Committee is, as part of the ongoing systematic review of the business control and corporate governance procedures within the Department, to oversee and advise on matters relating to the operations and development of the internal audit function, the business control and risk management environment and the relationship with external audit.

There are six members of the Audit Committee, three of whom, including the Chairperson, are from outside of the Department. The current membership is as follows: CHAIRPERSON, Mr. MICHAEL FLYNN, Head of Internal Audit, Health Service Executive; MEMBERS, Mr. PATRICK BANAHAN, General Manager — Internal Audit, Voluntary Health Insurance Board; Mr. EOIN O'BROIN, Director of Regions, Department of Social and Family Affairs; Ms MARIE O'NEILL, Principal Officer, Department of Social and Family Affairs; Ms FIONA O'SHEA, Principal Higher, Office of the Revenue Commissioners; Mr. EDDIE RICE, Principal Officer, Department of Social and Family Affairs.

#### Marine Accidents.

152. **Mr. N. O'Keeffe** asked the Minister for Transport if he will confirm the actions which have taken place to help locate the bodies of two fishermen lost at sea (details supplied) in a recent boating tragedy; the plans which are in place to raise the fishing trawler as the bodies may still be on board; if he will engage the services of the Naval Diving Unit to assist in the recovery of the bodies and return them to their grieving families. [16696/06]

**Minister of State at the Department of Transport (Mr. Gallagher):** First of all I would like to extend my sincere condolences to the families of Glen Cott and Jan Sankowski who were tragically lost in this incident.

On 31st March, the Coast Guard was alerted and immediately tasked resources to the scene of the incident involving the fishing vessel Maggie B. One crew member was rescued from the water, clinging to the upturned life raft. Based on information received and with the assistance of their search computer, the Coast Guard carried out a thorough search of the area, both at sea and on the shore line for 21 days using helicopters, lifeboats, Naval Service Vessels, Air Corps Casa Aircraft, local fishing vessels, coast guard shore units and members of the public. The ending available also suggested that the missing persons were not on the sunken vessel.

[Mr. Gallagher.]

The owner of the vessel Maggie B engaged several divers to dive on the vessel and search for the missing men. This was done and it confirmed the Coast Guard's conclusions that the two bodies are not on or around the vessel. Therefore raising the Maggie B now will not help in locating the missing bodies.

I understand that the Marine Casualty Investigation Board is carrying out an investigation into the sinking of the Maggie B. You will appreciate that it would be inappropriate for me to comment on any aspect of this case while it is still under investigation.

### Marine Safety.

153. **Mr. Deenihan** asked the Minister for Transport if his Department will exempt vessels engaged solely in fishing near the coast from the IMO 1993 Torremolinos Protocol; and if he will make a statement on the matter. [16717/06]

**Minister for Transport (Mr. Cullen):** It is mandatory for all EU countries under the EC Council Directive 97/70/EC of 11 December 1997 as amended, to implement the Torremolinos Protocol. The Directive lays down harmonised standards for seagoing fishing vessels of 24 metres in length and over. Regulations were put in place in 1998 to transpose the Directive into Irish law.

These Regulations apply to new fishing vessels over 24 metres built on or after 1 January 1999 and to existing vessels from 1 July 1999. Vessels complying with the Regulations are issued with a Certificate of Compliance valid for four years subject to annual and biannual intermediate surveys. The Regulations introduce a survey and certification regime for both new and existing vessels. There are no proposals to exempt fishing vessels over 24 metres from the provisions of the Torremolinos Protocol or the EU Directive when operating near to the coast.

The safety of the crews of fishing vessels is of paramount importance and therefore enhancement of fishing vessel safety standards is a key objective of my Department. The Maritime Safety Directorate of the Department has been working in partnership with the industry over many years to ensure compliance with safety provisions.

My Department is currently consulting stakeholders on proposed new rules for fishing vessels between 15 and 24 metres.

### Public Transport.

154. **Mr. Bruton** asked the Minister for Transport his views on the recent review, The Quality Bus Network, by Dublin Bus, particularly the contention contained within the report that only one of the nine bus corridors in Dublin is currently meeting its target in terms of passenger

numbers; and if he will make a statement on the matter. [16689/06]

**Minister for Transport (Mr. Cullen):** I assume the Deputy is referring to a report entitled Dublin Bus Network Review, prepared by MVA consultants for Dublin Bus. On the issue of QBC performance, this report is based on data and findings from the Dublin Transportation Office (DTO) Quality Bus Corridor Monitoring Report (2004), which is available on the DTO website ([www.dto.ie](http://www.dto.ie)).

There are no targets set for passenger numbers on QBCs and the Dublin Bus Network Review does not suggest that there are. However, there are other performance indicators such as journey time. The target average running speed for buses on QBCs is 20 kph. When this figure is adjusted to include dwell time at bus stops the equivalent average speed is 17.6 kph.

Two of the nine corridors achieve average speeds greater than 17.6 kph. In respect of the other corridors, the DTO, QBN Project Office and the local authorities recognise the vital importance of continuing the programme of tackling the remaining instances of bus congestion, to improve the absolute value of bus speeds, and to improve passenger trends. I am informed by the DTO that they are in discussion with the Quality Bus Network Project Office and the local authorities to address the issue and that projects are in train for the enhancement of existing QBCs. I am committed to the improvement and development of the Quality Bus Network in the Greater Dublin Area and continue to make funds available for this purpose through the Traffic Management Grants scheme.

### Air Services.

155. **Mr. F. McGrath** asked the Minister for Transport if he will re-consider his policy on the anti-privatisation of Aer Lingus; and if the proposal of a State holding company to allow Aer Lingus to be retained in the national interest will be investigated. [16724/06]

**Minister for Transport (Mr. Cullen):** The decision to dispose of a majority shareholding in Aer Lingus was made following detailed and comprehensive consideration of the issue by myself and my colleagues in Government. The Government agreed in its decision that the strategic development of the State Airports and Aer Lingus was essential to underpin Ireland's competitiveness, industry and tourism. Furthermore its consideration was based on an acknowledgement that the Company had an immediate need for access to equity capital to enable it to compete effectively and to fund growth and that this investment should not come from the Government.



Before making its decision on the future of Aer Lingus, the Government considered the ICTU proposal for a State Holding Company.

### Public Transport.

156. **Mr. Howlin** asked the Minister for Transport when his Department first received a request from Bus Éireann for authorisation to operate an hourly service on the Rosslare, Gorey, Dublin Road; when a decision will be made in relation to this request; and if he will make a statement on the matter. [16759/06]

**Minister for Transport (Mr. Cullen):** A notification was received by my Department from Bus Éireann on 18 June 2004 for services between Dublin, Gorey, Arklow and Rosslare Harbour with a proposal to provide an hourly bus service between Dublin and Rosslare Harbour as well as a high frequency 30-minute service between Arklow and Dublin.

Bus Licensing Section of my Department informed Bus Éireann in writing on the 24 June 2004 that the notification was deferred due to two prior applications for passenger road licences from other operators for services on this route and that these applications fall to be considered first.

As one of these prior applications has now been finalised, Bus Éireann were contacted in writing on 7 April 2006 giving permission for the initiation of some of the proposed services on the route where the Department is satisfied that there are no competing licensed bus services. Bus Éireann was also informed that the initiation of some of the remaining proposed services in competition with the bus service that has been licensed, would require an application by them under Section 25 of the Transport Act 1958. Such an application is awaited.

The balance of the proposed Bus Éireann services may affect the consideration of the second application for licensed bus services by a private operator and a decision on Bus Éireann's proposal will be made when the consideration of that second application is finalised.

### Regional Airports.

157. **Dr. Cowley** asked the Minister for Transport if a CAT11 navigational status to the Border Midland Western region will be awarded in order that the Border Midland Western region can reverse its enormous deficiency in direct air access; if, in view of the fact that Ireland West Airport, Knock presents the most viable and realistic opportunity in achieving this the necessary investment of €29 million required for 2005-2007 to meet infrastructure needs will be guaranteed; and if he will make a statement on the matter. [16760/06]

158. **Dr. Cowley** asked the Minister for Transport his views on the central role that Ireland West Airport, Knock plays and can play in the development of the Border Midland Western region; the financial investments his Department has planned for this airport; and if he will make a statement on the matter. [16761/06]

**Minister for Transport (Mr. Cullen):** I propose to take Question 157 & 158 together.

My Department assists Ireland West Airport, Knock, through a range of financial support mechanisms. Since 2000, the airport has received in the region of €6.5 million in operational and capital support directly from the Exchequer. This ongoing support has greatly assisted the airport to maintain viable operations and to grow its business, particularly on UK routes operated by low-cost air operators, and I understand the airport is constantly seeking to expand its range of services.

My Department will continue to assist Ireland West Airport, Knock, in line with the relevant EU Guidelines on financing of airports and Department of Finance Capital Appraisal Guidelines.

A total of 100 million Euro will be available for investment in development and safety related infrastructure in all regional airports under the Transport 21 framework. As well as the continuation of grant assistance for essential safety and security capital expenditure under the NDP, Ireland West Airport, Knock will also be eligible for capital expenditure grants where demand for additional air services can be demonstrated and where an economic case can be made to justify increased investment. A new grant scheme is currently being devised and I expect to be in a position to announce details shortly. In anticipation of the finalisation of the new scheme, my Department is considering a number of projects for the Airport, which are intended to enable the developing Airport to comply with international standards to meet future passenger demand.

In addition to the proposed new capital grants programme, a new scheme of operational grant assistance, is currently being developed in line with EU Guidelines and will be launched later this year.

My Department also supports regional air access through the Essential Air Service Programme, by providing financial compensation to air carriers on PSO routes, such as Knock-Dublin, where carriers would not be prepared to operate on a commercial basis.

The Irish Aviation Authority has informed me that Cat 11 navigational status refers to the category of approach (landing) of an aircraft in certain visibility conditions and depends upon the infrastructure at the airport in question.

An upgrade in category status is a technical and complex matter and is the responsibility of the Irish Aviation Authority. Any airport wishing to

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upgrade would have to apply to the Authority who would consider the matter. While I have no role in the awarding of CAT II status, the funding implications could be significant and would have to be addressed by the company in the first instance before deciding to proceed with such a proposal. If the company were to seek Exchequer support under the new grant schemes this would have to be rigorously assessed.

### Carriage of Weapons.

159. **Aengus Ó Snodaigh** asked the Minister for Transport if he will extend the scope of the review he has initiated into the carriage of munitions and dangerous goods, on foot of the incident in February 2006 in which a US plane claimed to have no cargo when in fact there was an attack helicopter on board, to include the carriage of prisoners and detainees. [16835/06]

160. **Aengus Ó Snodaigh** asked the Minister for Transport if he will extend the scope of the review he has initiated into the carriage of munitions and dangerous goods to include questions relating to the countries of origin and destination of such goods in view of the incident in February 2006 in which this State appears to have facilitated the sale of an attack helicopter to Israel and thereby further implicated itself in gross human rights abuses. [16836/06]

**Minister for Transport (Mr. Cullen):** I propose to take Parliamentary Questions Nos. 159 and 160 together.

The review I have initiated will deal with all aspects of the procedures relating to the carriage of munitions and weapons. I understand that the US authorities have confirmed to the Department of Foreign Affairs that the US has not used Irish airports for the transit of prisoners to or from the detention centre at Guantánamo or elsewhere. I also understand that the US side has confirmed that they would not transit Irish airspace or use Irish airports for this purpose without seeking the authorisation of the Irish authorities.

In view of assurances referred to above the review will not deal with transit of prisoners.

### Departmental Committees.

161. **Mr. Kenny** asked the Minister for Transport if he will provide a list of the membership of his Department's audit committee; and if he will make a statement on the matter. [17023/06]

**Minister for Transport (Mr. Cullen):** I refer the Deputy to my reply to Dáil Question No. 446 of 8th November 2005. The Audit Committee at the Department of Transport is comprised of the following members:

(1) John Lawlor	External Member
(2) Liam MacLaughlin	External Member
(3) Andy Cullen	Department of Transport
(4) Pat Mangan	Department of Transport

The Chairperson is John Lawlor.

### Offshore Islands.

162. D'fhiafraigh **Mr. McGinley** den Aire Gnóthaí Pobail, Tuaithe agus Gaeltachta an bhfuil iarratas faighte aige do ché ar oileán Inis Bó Finne, Dún na nGall, an bhfuil sé á mheas faoi láthair; agus an ndéanfaidh sé ráiteas ina thaobh. [16775/06]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** Tá iarratas faighte ag mo Roinnse le déanaí ó Chomhairle Chontae Dhún na nGall ar chúnamh le haghaidh Cé Inis Bó Finne a fhorbairt. Tá an cás seo á mheas faoi láthair i gcomhthéacs an airgid a bheidh ar fáil le caitheamh ar fhorbairt oileánda i 2006/2007 agus na n-éileamh éagsúil ar an airgead sin.

### Tribunals of Inquiry.

163. **Mr. Quinn** asked the Minister for Community, Rural and Gaeltacht Affairs if he has received from the Tribunal of Inquiry into Certain Planning Matters and Payments notification of a decision of the Tribunal under paragraph J (2) of its terms of reference, being a decision to proceed with a public hearing on a matter additional to the matters listed in paragraph J (1) (a) to (g) of those terms of reference; if so, the number of such notifications and the nature of the additional matter or matters; and if he will make a statement on the matter. [16785/06]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** I assume the Deputy's question relates to my official position as Minister for Community, Rural and Gaeltacht Affairs.

My Department has not received any notification of a decision by the Tribunal of Inquiry into Certain Planning Matters pursuant to paragraph J(2) of its amended terms of reference. I have no official role in relation to any such notifications that may have been issued to individuals on a personal basis. Such individuals are required by the Tribunal not to disclose that fact or the names of other persons written to.

### Departmental Committees.

164. **Mr. Kenny** asked the Minister for Community, Rural and Gaeltacht Affairs if he will provide a list of the membership of his Department's audit committee; and if he will make a statement on the matter. [17024/06]

**Minister for Community, Rural and Gaeltacht Affairs (Éamon Ó Cuív):** I can confirm to the

Deputy that my Department has a formally constituted Audit Committee in place comprising three external representatives, including the Chairperson, and one internal representative. The members of the Committee are as follows: Mr. Liam Ryan, Independent Chairperson, Managing Director of Professional Accounting Firm. Mr. Cyril Sullivan, Deputy Chairperson, Director of Finance at the IPA; Mr. Niall Kelly, Head of Internal Audit, Department of Communications, Marine and Natural Resources; and, Mr. Colm Treanor, Finance Officer, Department of Community, Rural and Gaeltacht Affairs.

The Audit Committee of my Department operates in accordance with the terms of the Audit Committee Charter. The Audit Committee provides independent and objective advice and acts as a support and resource to the Department and make recommendations on the internal audit function, financial matters, systems of internal controls and governance procedures.

#### Departmental Staff.

165. **Mr. Naughten** asked the Minister for Agriculture and Food the number of staff who were re-assigned within her Department as a result of the introduction of the single farm payment; the alternative duties to which such staff have been assigned; and if she will make a statement on the matter. [16700/06]

**Minister for Agriculture and Food (Mary Coughlan):** To date the introduction of the Single Payment Scheme (SPS) has led to the redeployment of 225 staff to a number of Government Departments and Offices including Revenue, Social & Family Affairs, Land Registry, Environment and Justice to operate the Garda PULSE system in Castlebar. Large numbers of staff have also been assigned to new duties within my Department including 300 staff to operate the SPS in Portlaoise.

#### Departmental Complaints Procedures.

166. **Mr. Naughten** asked the Minister for Agriculture and Food the number of customer complaints received by her Department in each of the past three years; the breakdown of the main categories from which these complaints were derived; the response made to such complaints; and if she will make a statement on the matter. [16701/06]

**Minister for Agriculture and Food (Mary Coughlan):** The table shows a breakdown by category of the formal complaints made to my Department in the years 2003, 2004, and 2005. In accordance with the Department's Customer Complaints Procedure, complaints are acknowledged within five days of receipt. Each complaint is then fully and impartially investigated by an officer of my Department not involved in the

matter under complaint and a substantive response issues within twenty working days. Details of the Customer Complaint Procedure are available on the Department Website and by leaflet at Department offices.

Category	2003	2004	2005
Delay in Payments	5	8	2
Delay in Response to Query	4	4	1
Delay in Processing Applications	2	Nil	Nil
Lack of Courtesy	2	1	2
Other	4	5	5
Totals	17	18	10

167. **Mr. Naughten** asked the Minister for Agriculture and Food if she will outline the formal complaints procedure which is available to the public in relation to her Department; and if she will make a statement on the matter. [16702/06]

**Minister for Agriculture and Food (Mary Coughlan):** Formal complaints to my Department are logged on receipt and acknowledged within five working days. The complaint is then fully and impartially investigated by an officer who was not involved in the matter giving rise to the complaint and a substantive response is issued within twenty working days. The standard of service provided by my Department is outlined in the Departments Customer Charter 2005 -2007 and Charter of Rights for Farmers 2005-2007. Details of the Customer Complaints Procedure are available on my Departments Website and by leaflet at Department offices. It should be noted that this Complaints Procedure does not cover appeals concerning entitlement to any of the payments related to the schemes listed in the schedule to the Agriculture Appeals Act 2001 as amended — these are dealt with by the Agriculture Appeals Office. Further, it does not affect a customers right to make a complaint to the Office of the Ombudsman.

#### Departmental Staff.

168. **Mr. Naughten** asked the Minister for Agriculture and Food if she has satisfied herself that all district veterinary officers working within her Department are carrying out their duties in a uniform and standardised manner; the template which is available to such officers to ensure that such uniformity is applied on the ground; the audits in place within her Department to check that uniform procedures are being applied; and if she will make a statement on the matter. [16703/06]

**Minister for Agriculture and Food (Mary Coughlan):** My Department's local offices are staffed by veterinary, technical and administra-



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tive staff and carry out a wide range of functions, including the administration of various schemes and services.

Many of these functions involve the administration of both EU and national statutory schemes and are administered by reference to standard instructions, including Departmental Circulars or Standard Operating Procedures. My Department is anxious that all functions are administered in a consistent manner across the network of offices at all times in the interests of equity to all our clients. Where any deficiencies are identified new instructions are issued and we regularly review our operating instructions to ensure that consistency of approach.

Like every other area of my Department, the local offices are subject to regular internal audits (all of which are reviewed by the Department's Audit Committee, the membership of which is primarily drawn from outside the Department) as well as external audits by the Office of the Comptroller and Auditor General and the European Commission (both the auditors of the Agricultural Guarantee & Guidance Fund and the Food & Veterinary Office).

#### **Agri-food Sector.**

169. **Mr. Naughten** asked the Minister for Agriculture and Food the level of formal interaction between her Department and the Department of Enterprise, Trade and Employment in relation to the development of the agri-food sector; the number of meetings which have taken place between officials from each Department in relation to this issue over the past 12 months; and if she will make a statement on the matter. [16730/06]

**Minister for Agriculture and Food (Mary Coughlan):** There are regular and varied contacts between my Department and the Department of Enterprise, Trade and Employment on the development of the agri-food sector.

Officials from both departments participate, for example, in the Monitoring Committee of the Productive Sector Operational Programme under the National Development Plan, the National Functional Foods Forum, and various Enterprise Ireland committees including the Investment Committee and the Productivity Improvement Fund Committee.

At agency level, Bord Bia works closely with Enterprise Ireland on a range of activities to develop the agri-food sector and co-ordination in this regard has been formalised through a Memorandum of Understanding agreed between the two agencies.

My Department will continue to work with the Department of Enterprise, Trade and Employment to ensure that Ireland's agri-food sector is developed to its full potential.

#### **Animal Diseases.**

170. **Mr. Naughten** asked the Minister for Agriculture and Food the number of animals entering here which were quarantined during 2005 and to date in 2006; the number of quarantine inspectors employed by her Department; the number of quarantine inspections carried out in both years to date; and if she will make a statement on the matter. [16743/06]

**Minister for Agriculture and Food (Mary Coughlan):** During 2005, 414 animals were quarantined. To date in 2006, 38 animals have been quarantined.

Quarantine of animals is dealt with, generally, by officers based in my Department's District Veterinary Offices. These officers also have responsibilities in a wide number of other areas related to animal health and welfare, disease control etc.

A total of 35 quarantine inspections were carried out in 2005 and 7 were carried out to date in 2006. In many cases a number of animals would be quarantined as part of the same consignment.

#### **National Development Plan.**

171. **Mr. Naughten** asked the Minister for Agriculture and Food the amount of Exchequer funding allocated under the research stimulus fund of the National Development Plan from 2000 to date to research in the agri-food sector; and if she will make a statement on the matter. [16744/06]

**Minister for Agriculture and Food (Mary Coughlan):** The Research Stimulus Fund Programme provides support on a competitive basis for "public good" research carried out by research institutions including the universities and Teagasc and is aimed at filling R&D gaps in research activity in production agriculture, environment, rural economy and policy related measures. The research results are made freely available. In the period 2001 to 2005 a total of €8.630 million in Exchequer funding was allocated to the projects selected in this period.

The Programme was broadened last year to incorporate biofuels research. Projects supported under this Programme will complement the research work being done by Teagasc and others in the biofuels area. Under the 2005 Programme 12 research projects were awarded grant assistance totalling €4.5 million. The research projects cover a broad range of areas including agri-environment, non-food crops and agri-food economics and will involve inter-institutional collaboration.

A call for research proposals for funding under the Research Stimulus Fund in 2006 was advertised earlier this year. The research theme areas includes land use for bio-energy purposes as well as agri-environment, animal and plant bioscience and agri economy and policy. An allocation of €4 million is available for this round in 2006.



### Grant Payments.

172. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason entitlements in the name of a person (details supplied) in County Galway has not been consolidated to persons has not been consolidated to; and if she will make a statement on the matter. [16745/06]

**Minister for Agriculture and Food (Mary Coughlan):** The persons named submitted a Single Payment Scheme application on 11 May 2005 under herd number G2321032. They had established 153.72 entitlements under this herd number and having processed the application a payment in the amount €48,964.95 in respect of 134.59 entitlements issued on 16 December 2005. This payment represented the 134.59 eligible hectares declared on their 2005 Single Payment Scheme application.

An application to consolidate the 153.72 entitlements down to 134.59 entitlements under herd number G 2321032 was processed and a supplementary payment in the amount of €6,959.74 in respect of the 134.59 consolidated entitlements issued on 19 January 2006.

An application to transfer entitlements from herd number X 1170800 to herd number G 2321032 was received on 9 February 2006. These entitlements have now been transferred to herd number G 2321032 and the payment in respect of these entitlements will issue in the coming days.

The persons named also submitted an application for an allocation of entitlements from the Single Payment Scheme National Reserve under Category B.

Category B caters for farmers who, between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under Live-stock Premia and/or Arable Aid schemes would have been payable during the reference period 2000- 2002. Investments can include purchase or long-term lease of land, purchase of suckler and/or ewe quota or other investments.

This case has been processed to completion and the persons named have now been granted an allocation. The National Reserve allocation has been applied to the consolidated entitlements. A formal letter setting out the details of this allocation will issue shortly.

If the persons named are dissatisfied with my Department's decision they will have the opportunity to appeal the decision to the Independent Appeals Committee. An appeals application is available from any of my Department's offices or on the Department website at [www.agriculture.gov.ie](http://www.agriculture.gov.ie).

173. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason entitlements earned in the name of a person (details supplied) in County Galway has not been transferred to a

person; and if she will make a statement on the matter. [16746/06]

**Minister for Agriculture and Food (Mary Coughlan):** The inheritance application submitted in this case has been successfully processed. The person involved is in the process of obtaining a Herd Number, and once this has been accomplished his Single Payment will issue.

174. **Mr. Connaughton** asked the Minister for Agriculture and Food the reason entitlements under the single farm payment has not been made available to a person (details supplied) in County Galway; and if she will make a statement on the matter. [16747/06]

**Minister for Agriculture and Food (Mary Coughlan):** The person named submitted a Private Contract Clause application to transfer 5.57 of his 19.84 entitlements by way of a lease agreement under the 2005 Single Payment Scheme. The application was successful, and the entitlements were transferred to the lessee. The applicant has been fully paid on his remaining 14.27 entitlements under the 2005 Single Payment Scheme.

175. **Mr. Connaughton** asked the Minister for Agriculture and Food when a decision will be made on an application for single farm payment entitlements from the National Reserve by a person (details supplied) in County Galway; and if she will make a statement on the matter. [16748/06]

**Minister for Agriculture and Food (Mary Coughlan):** The person named submitted an application for an allocation of entitlements from the Single Payments Scheme National Reserve under category D.

Category D caters for farmers who commenced farming after 31 December 2002 or who commenced farming in 2002 but who received no direct payments in respect of that scheme year.

The person named has been notified that the circumstances outlined by him did not satisfy the criteria for allocation of entitlements under National Reserve.

Following this decision the person named submitted an appeal to my Department enclosing additional documentary evidence in support of his application. My Department will now re-examine the National Reserve application in light of the new evidence provided and if the original decision is unchanged following this re-examination the case will then be forwarded to the Independent Single Payment Appeals Committee who will carry out a full review of the case. The person named will be notified of the outcome.

176. **Mr. Connaughton** asked the Minister for Agriculture and Food the result of an application for extra entitlements from the national reserve

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by a person (details supplied) in County Galway; and if she will make a statement on the matter. [16749/06]

**Minister for Agriculture and Food (Mary Coughlan):** The person named submitted an application for an allocation of entitlements from the Single Payment Scheme National Reserve under Category B.

Category B caters for farmers who, between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under Live-stock Premia and/or Arable Aid schemes would have been payable during the reference period 2000- 2002. Investments can include purchase or long-term lease of land, purchase of suckler and/or ewe quota or other investments.

This case has been processed to completion and the person named has now been granted an allocation. A formal letter setting out the details of this allocation will issue shortly.

If the person named is dissatisfied with my Department's decision he will have the opportunity to appeal the decision to the Independent Appeals Committee. An appeals application is available from any of my Department's offices or on the Department website at [www.agriculture.gov.ie](http://www.agriculture.gov.ie).

#### Milk Quota.

177. **Mr. Naughten** asked the Minister for Agriculture and Food the number of milk quota sales which have had a clawback in each of the past five years; the numbers associated with an ERS participant; and if she will make a statement on the matter. [16765/06]

178. **Mr. Naughten** asked the Minister for Agriculture and Food the number of milk quota leases which have had a clawback in each of the past five years; the numbers associated with an ERS participant; and if she will make a statement on the matter. [16766/06]

**Minister for Agriculture and Food (Mary Coughlan):** I propose to take Questions Nos. 177 and 178 together.

The term "clawback" was widely used in the 1990s to describe the forfeiture to the national reserve of a portion of a transferor's milk quota where the associated dairying lands were subject to transfer in certain circumstances.

The measure has not applied in the past 5 years. The European Communities (Milk Quota) Regulations, 2000 changed the regulatory framework of the milk quota system compared to the situation which applied in the 1990s.

179. **Mr. Naughten** asked the Minister for Agriculture and Food her views regarding the possibility of milk quota racketeering associated with

the ERS scheme; and if she will make a statement on the matter. [16767/06]

**Minister for Agriculture and Food (Mary Coughlan):** Participants in the Early Retirement Scheme may be granted approval to establish new leases for land and quota, other than with family members, in limited circumstances only. In particular, as set down in the European Communities (Milk Quota) Regulations, 2000 such approvals may only be granted where the existing lessee has reasonable cause not to renew the lease.

#### Milk Quota.

180. **Mr. Naughten** asked the Minister for Agriculture and Food the pool of milk quota available for temporary leasing in each of the past five years; the corresponding figure for private land and quota leases; and if she will make a statement on the matter. [16768/06]

**Minister for Agriculture and Food (Mary Coughlan):** The table outlines the quantity of milk quota offered into Temporary Leasing Schemes in each of the past five years, and the quantity of milk quota involved in land and quota leases in each of those years.

Quota year	Quantity offered into Temporary Leasing Scheme — all stages	Quantity of Quota leased with land
	(Million Litres)	(Million Litres)
2005/2006	94	91
2004/2005	30	194
2003/2004	159	250
2002/2003	201	236
2001/2002	185	300

Generally most land and quota leases run for more than one year, therefore the figures shown for a particular year combine the amount of quota subject to lease for the first time in the particular year, quota involved in leases commenced in an earlier year which continue in the particular year and the quota involved in leases renewed in the particular year.

Prior to 2003/04 a different method was used for compiling statistics for land and quota leasing, so figures for 2001/02 and 2002/03 may not be directly comparable with subsequent years.

The definitive figures for the 2005/6 Temporary Leasing Scheme have not yet been completed and the figure shown is an estimate only. A substantial part of the quota offered in 2005/6 was not allocated.

#### Grant Payments.

181. **Mr. P. Breen** asked the Minister for Agriculture and Food the reason a person (details supplied) in County Clare did not receive the full

amount of single payment scheme for 2005; and if she will make a statement on the matter. [16769/06]

**Minister for Agriculture and Food (Mary Coughlan):** In general, the Single Payment Scheme in 2005 was applicable to farmers who actively farmed in all or any of the three reference years 2000, 2001 and 2002, who were paid Livestock Premia and/or Arable Aid payments in one or more of those years and who submitted a valid 2005 Single Payment Scheme application.

Based on the farming activity during the reference years, the person named established 16.02 entitlements with a net value of €174.23 per entitlement amounting to €2,791.16 in total.

An application under the Single Payment Scheme was received on 27 April 2005 from the person named. Payment amounting to €2,707.43, which represents the full payment, with the required reduction of 3% for Modulation, issued to the person named on 1 December 2005. That 3% deduction will be refunded in the near future to the person named, in accordance with the provisions of the relevant EU Regulations, as the total payment was for less than €5,000. In addition, payments amounting to €1,915.32 issued in 2005 in respect of applications made under the 2004 Livestock Premium Schemes.

In comparison, the 2004 Livestock Premia payments to the person named amounted to €2,856.75 and the applicant also received additional payments of €1,354.01 during 2004 relating to applications made in respect of the 2003 Livestock Premia Schemes.

#### **Rural Development.**

182. **Mr. Durkan** asked the Minister for Agriculture and Food if she has studied the submission from the ICSA in relation to farm building grants, bureaucracy in farming, national rural development strategy, future of the sheep industry, market oriented farm production and World Trade Organisation talks; her proposals to address the concerns of the organisation; the extent to which she expects to alleviate the impact of these issues; and if she will make a statement on the matter. [16771/06]

**Minister for Agriculture and Food (Mary Coughlan):** My Department received the submission in question in the past week and it is currently being examined. A detailed reply will issue to ICSA in due course.

#### **Tribunals of Inquiry.**

183. **Mr. Quinn** asked the Minister for Agriculture and Food if she has received from the Tribunal of Inquiry into Certain Planning Matters and Payments notification of a decision of the Tribunal under paragraph J (2) of its terms of reference, being a decision to proceed with a public

hearing on a matter additional to the matters listed in paragraph J (1) (a) to (g) of those terms of reference; if so, the number of such notifications and the nature of the additional matter or matters; and if she will make a statement on the matter. [16786/06]

**Minister for Agriculture and Food (Mary Coughlan):** I assume the Deputy's question relates to my official position as Minister for Agriculture and Food.

My Department has not received any notification of a decision by the Tribunal of Inquiry into Certain Planning Matters pursuant to paragraph J (2) of its amended terms of reference.

I have no official role in relation to any such notifications that may have been issued to individuals on a personal basis. Such individuals are required by the Tribunal not to disclose that fact or the names of other persons written to.

#### **Grant Payments.**

184. **Mr. McGuinness** asked the Minister for Agriculture and Food if full farm entitlements will be granted in the case of a person (details supplied) in County Carlow; and if all payments due will be expedited. [16792/06]

**Minister for Agriculture and Food (Mary Coughlan):** An application under the 2005 Single Payment Scheme was received from the person named on 15 May 2005. Full payment issued in respect of his standard entitlements on 1 December 2005.

In addition, the person named submitted an application for an allocation of entitlements from the Single Payment Scheme National Reserve under Category A and Category B.

Category A caters for farmers who inherited land or received land free of charge or for a nominal sum from a farmer who had retired or died by 16 May 2005 and who had leased out his/her holding to a third party during the reference period 2000-2002. Category B caters for farmers who, between 1 January 2000 and 19 October 2003, made an investment in production capacity in a farming sector for which a direct payment under Livestock Premia and/or Arable Aid schemes would have been payable during the reference period 2000- 2002. Investments can include purchase or long term lease of land, purchase of suckler and/or ewe quota or other investments.

This case has been processed to completion and the person named has now been granted an allocation. A formal letter setting out the details of this allocation will issue shortly.

If the person named is dissatisfied with my Department's decision he will have the opportunity to appeal the decision to the Independent Appeals Committee. An appeals application is available from any of my Department's offices or



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on the Department website at *www.agriculture.gov.ie*.

185. **Mr. Ring** asked the Minister for Agriculture and Food when a transfer of entitlements by inheritance will be completed for a person (details supplied) in County Mayo. [16813/06]

**Minister for Agriculture and Food (Mary Coughlan):** The person named submitted an application under the inheritance measure of the Single Payment Scheme. The applicant has been notified that he has been successful, and payment will issue shortly.

#### Departmental Committees.

186. **Mr. Kenny** asked the Minister for Agriculture and Food if she will provide a list of the membership of her Department's audit committee; and if she will make a statement on the matter. [17025/06]

**Minister for Agriculture and Food (Mary Coughlan):** The Audit Committee of the Department of Agriculture and Food consists of eight members, all but one of whom are external to the Department itself. The composition of the audit committee is as follows: Mr. John Donnelly, Chairman of the Committee. Mr. Donnelly is a Chartered Accountant and is Deputy Chairman of Hypo Real Estate Bank International. He was formerly Chairman of Deloitte & Touche. Professor Niamh Brennan. Professor Brennan is a Chartered Accountant and Michael MacCormac Professor of Management in the School of Business in University College Dublin. Mr. Michael Downes. Mr. Downes is the Group Internal Auditor of Córas Iompair Éireann. Ms M Claire O'Connor. Ms O'Connor is Chief Financial Officer of West LB Ireland and a member of the West LB CBB Audit Committee. She is a former Director of the National Disability Authority and ICC Bank plc and is an Authority member of Sustainable Energy Ireland. Mr. Eamon O'Connor. Mr. O'Connor is the Director of Internal Audit in the Office of the Revenue Commissioners. Ms Helen Nolan. Ms Nolan is a Chartered Accountant and is the Group Chief Internal Auditor with Bank of Ireland. Dr. John Thompson. Dr. Thompson is a Principal Officer in the Department of Finance, Public Expenditure Division. He has responsibility for the Agriculture and Food Vote. Mr. Aidan O'Driscoll. Mr. O'Driscoll is an Assistant Secretary General in the Department of Agriculture and Food. He has responsibility for financial systems, risk management and audit, and also for economics and planning.

#### Garda Investigations.

187. **Mr. F. McGrath** asked the Minister for

Justice, Equality and Law Reform if a complaint (details supplied) will be investigated; and if local residents will be assisted in this matter. [16716/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I have requested a report from the Garda authorities in relation to the matters raised by the Deputy. I will contact the Deputy directly when the information is to hand.

#### Registration of Title.

188. **Mr. Connaughton** asked the Minister for Justice, Equality and Law Reform the position regarding an application for registration under a dealing number by persons (details supplied) in County Galway; and if he will make a statement on the matter. [16733/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I wish to inform the Deputy that I have requested the Land Registry to contact him directly concerning the current position of the application in question.

#### Citizenship Applications.

189. **Ms Harkin** asked the Minister for Justice, Equality and Law Reform the stage of an application for naturalisation (details supplied). [16735/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** An application for a certificate of naturalisation from the person referred to by the Deputy was received in the Citizenship section of my Department on 25 November 2004.

The average processing time for such applications is 24 months at the present time. It is likely, therefore, that the application of the person concerned will be finalised in or around November 2006. I will advise both the Deputy and the person concerned as soon as I have made a decision in the matter.

#### Deportation Orders.

190. **Mr. J. O'Keeffe** asked the Minister for Justice, Equality and Law Reform the number of prisoners released from prison in each of the past five years who were to be considered for deportation thereafter; and the number of such prisoners who have been deported. [16736/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** There is no provision in Irish law for the automatic deportation of a non-national who has committed a criminal offence. It has long been the practice of Ministers for Justice, Equality and Law Reform to give consideration to deportation in particular cases where a non-national has been convicted of a serious offence. Until recent times such cases were relatively isolated and the volume was small.



However due to the significant increase in non-nationals in recent years, I have introduced a more systematic approach whereby the case of every non EU national imprisoned is brought up for consideration. There is an ongoing information exchange involving my Department, the Garda National Immigration Bureau (GNIB) and the Irish Prison Service. My Department and the GNIB are made aware of the release dates of convicted non-national prisoners falling due for release in the following twelve month period. Details of the offences involved are also included, as are the nationalities of the prisoners in question.

Any person to be deported must first be served with a written notice of intention to deport, as provided for under Section 3 of the Immigration Act, 1999 (as amended) which advises each individual of the options open to them at that point in time, namely (a) to consent to deportation, (b) to agree to return voluntarily to their country of origin or (c) to submit, within 15 working days, written representations to the Minister setting out reasons why they should not be deported. Where option (c) is availed of, any written representations submitted by or on behalf of the person in question is considered before a final decision is taken as to whether that person should be the subject of a Deportation Order. Each case is considered on its individual merits having regard to the gravity of the offence committed as well as other factors.

Statistics on this matter are not readily available in the form sought by the Deputy. I can say for the year 2005 to April 2006 that 7 non-EU National persons convicted of offences, and who served a prison sentence for same, have been issued with Deportation Orders. However it is not always possible to have the deportation procedures arranged so that a person who has finished his prison term is deported immediately. Of the 7 referred to above, 4 have been deported at this time. A further 4 persons have applied to return voluntarily to their countries of origin.

As the Deputy is aware the provisions relating to the removal of non-nationals from the State are currently being considered in the preparation of the forthcoming Immigration and Residence Bill.

191. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the number of inmates in prisons here of non-Irish nationality; and the number of such prisoners to be considered for deportation after release. [16737/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** There are currently 226 non-Irish national prisoners serving sentences for a range of offences coming from 44 different countries. This figure includes 109 non-EU nationals.

There is no provision in Irish law for the automatic deportation of a non-national who has com-

mitted a criminal offence. It has long been the practice of Ministers for Justice, Equality and Law Reform to give consideration to deportation in particular cases where a non-national has been convicted of a serious offence. Until recent times such cases were relatively isolated and the volume was small. However due to the significant increase in non-nationals in recent years, I have introduced a more systematic approach whereby the case of every non EU national imprisoned is brought up for consideration. There is an ongoing information exchange involving my Department, the Garda National Immigration Bureau (GNIB) and the Irish Prison Service. My Department and the GNIB are made aware of the release dates of convicted non-national prisoners falling due for release in the following twelve month period. Details of the offences involved are also included, as are the nationalities of the prisoners in question.

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#### **Legislative Programme.**

192. **Mr. J. O’Keeffe** asked the Minister for Justice, Equality and Law Reform the reason for the delay in updating the Coroner’s Act 1962; his views on whether the report of the Working Group on the Review of the Coroner’s Service published six years ago provides the basis for reform; and when legislative action will be taken. [16738/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** As indicated in the Legislative

[Mr. McDowell.]

Programme announced by the Chief Whip on 24 April 2006, the Coroners Bill is in the course of being drafted with a view to publication later in the year. My proposals for a Bill to comprehensively reform the legislation relating to coroners and the organisation of the coroner service are available on my Department's website having been approved by the Government for drafting.

The new legislation will radically overhaul and reform the coroner service. It will provide for a modernisation of the death investigation, post-mortem and inquest procedures so as to ensure a better service to society in general, and to the relatives of the deceased in particular, than is currently possible under the 1962 Coroners Act.

There are two critical elements involved in the reform of the service: development of optimum structures and administration for a modern coroner service and widening the scope of the inquest. The Bill provides for the establishment of a Coroner Service to be located in Navan, Co. Meath. On the establishment of the Service, full responsibility for coroners, including financial responsibility, will rest with the Minister for Justice, Equality and Law Reform and the involvement of local authorities will cease. The Bill gives effect to recommendations of the Report of the Working Group on the Review of the Coroner Service and it takes into account relevant jurisprudence of our courts and the European Court of Human Rights.

#### Deportation Orders.

193. **Mr. J. O'Keefe** asked the Minister for Justice, Equality and Law Reform the number of people against whom unexecuted deportation orders have been made; and the steps he is taking in this regard in dealing with this situation. [16739/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** The enforcement of Deportation Orders is an operational matter for the Garda National Immigration Bureau. My Department's records show that, at present, there are in excess of 7,300 persons evading Deportation Orders or Dublin II Regulation Transfer Orders. The Garda National Immigration Bureau (GNIB) believe that most of these persons have already left the State but, if found here, they are liable to arrest and detention for the purposes of removal.

In a number of cases, deportation orders have not been effected arising from challenges in the Courts by way of Judicial Review. There are, at present, 425 'live' judicial review cases ongoing and the enforcement of Orders in these cases is generally suspended pending the outcome of proceedings.

#### Tribunals of Inquiry.

194. **Mr. Quinn** asked the Minister for Justice, Equality and Law Reform if he has received from the Tribunal of Inquiry into Certain Planning Matters and Payments notification of a decision of the Tribunal under paragraph J (2) of its terms of reference, being a decision to proceed with a public hearing on a matter additional to the matters listed in paragraph J (1) (a) to (g) of those terms of reference; if so, the number of such notifications and the nature of the additional matter or matters; and if he will make a statement on the matter. [16787/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I assume the Deputy's question relates to my official position as Minister for Justice, Equality and Law Reform. My Department has not received any notification of a decision by the Tribunal of Inquiry into Certain Planning Matters pursuant to paragraph J(2) of its amended terms of reference. I have no official role in relation to any such notifications that may have been issued to individuals on a personal basis. Such individuals are required by the Tribunal not to disclose that fact or the names of other persons written to.

#### Asylum Applications.

195. **Mr. P. Breen** asked the Minister for Justice, Equality and Law Reform if, in view of Ireland's long emigration history and the positive treatment of its migrants by the US and other States, he will grant, on humanitarian grounds, leave to stay to the group of approximately 200 so-called aged-out minors, under-aged asylum-seekers who arrived in this State unaccompanied by adults and who have since turned 18 but remain on direct provision; and if he will make a statement on the matter. [16817/06]

198. **Mr. Howlin** asked the Minister for Justice, Equality and Law Reform if he intends to grant leave to remain here on humanitarian grounds to approximately 200 aged out non-nationals who have been here for a number of years; and if he will make a statement on the matter. [16824/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I propose to take Questions Nos. 195 and 198 together.

I would refer the Deputies to my Replies to Dáil Question No. 91 of Wednesday 23 November 2005 and No. 456 of Tuesday 7 February 2006 in this matter. My position is as outlined in those Replies.

#### Garda Investigations.

196. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform if an independent inquiry will be held into the death of a per-

son (details supplied); and if the family will be supported on this matter. [16818/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** A Detective Superintendent from outside the relevant Garda Division was appointed immediately after the incident to carry out a detailed investigation into all the circumstances surrounding the person in question's arrest, detention and removal to hospital. The Garda authorities submitted a file to the Director of Public Prosecutions on the matter and furnished a copy to me also. The Director issued instructions that no prosecution should ensue.

An inquest into this tragic death is ongoing at present. An inquest is an independent inquiry to ascertain the cause of death and the Coroner has statutory duties and powers, including the power to call witnesses. The Coroner cannot consider questions of civil or criminal liability. When the inquest has been completed and a verdict returned I will consider the matter further. I have already offered financial assistance to the person's family to facilitate their legal representation at the inquest.

#### **Garda Strength.**

197. **Mr. F. McGrath** asked the Minister for Justice, Equality and Law Reform the number of community Gardaí in the Clontarf, Raheny, Santry and Coolock Garda stations; and the percentage of their eight hour shift which is spent in the local community on the beat working with citizens. [16819/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I have been informed by the Garda authorities, who are responsible for the detailed allocation of resources, including personnel, that the personnel strength (all ranks) of An Garda Síochána as at 31 March 2006 was 12,439. This compares with a total strength of 10,702 (all ranks) as at 30 June 1997 and represents an increase of 1,737 (or 16.2%) in the personnel strength of the Force during that period.

I have been further informed by the Garda authorities that the number of Community Gardaí in Clontarf, Raheny, Santry and Coolock Garda stations, as at 31 March, 2006, was as set out hereunder;

Station	Community Gardaí
Clontarf	6
Raheny	5
Santry	4
Coolock	9
Total	24

Garda management states that current Policing Plans in the Dublin 3, Dublin 5 and Dublin 9 areas are predicated on the prevention of anti-

social and public order offences and the maintenance of an environment conducive to the improvement of the quality of life for the residents. All community policing in the geographical areas identified involves the delivery of a full policing service in the heart of the community and in conjunction with local initiatives. Each member performs a full 8-hour tour of duty unless where necessarily deployed on other mandatory duties such as court attendance. This strategy is, and will continue to be, central to the delivery of a policing service to the areas in question.

I should also say that the current recruitment drive to increase the strength of the Garda Síochána to 14,000 members in line with the commitment in the Agreed Programme for Government is fully on target. This will lead to a combined strength, of both attested gardaí and recruits in training, of 14,000 by the end of this year. I am pleased to inform the Deputy that the first group of newly attested gardaí under the accelerated recruitment programme came on stream in March and a further 275 newly attested gardaí will come on stream every 90 days from here on in. The Garda Commissioner will now be drawing up plans on how best to distribute and manage these additional resources, and in this context the needs of the areas referred to by the Deputy will be given the fullest consideration.

*Question No. 198 answered with Question No. 195.*

#### **Garda Training.**

199. **Mr. J. O'Keeffe** asked the Minister for Justice, Equality and Law Reform the details of the backlog in in-service firearms training; his views on whether the present arrangements are entirely inadequate; and if he will make a statement on the matter. [16831/06]

**Minister for Justice, Equality and Law Reform (Mr. McDowell):** I have been informed by the Garda Authorities that An Garda Síochána is actively progressing additional facilities for the provision of firearms training.

I have been further informed that while there was some backlog during the first quarter of 2006, it is expected that additional capacity will become available in the second half of the year and this will address the backlog.

200. **Mr. J. O'Keeffe** asked the Minister for Justice, Equality and Law Reform if the indoor firing range in Garda headquarters has been out of action; if so, the length of time it has been so; when it will again be operational; and the arrangements which have been put in place to provide alternative facilities for training purposes. [16832/06]



### **Minister for Justice, Equality and Law Reform**

**(Mr. McDowell):** The Garda Authorities have informed me that they discontinued use of the indoor firing range in Garda Headquarters on the 17th December, 2005. Alternative arrangements have been put in place to facilitate Garda training. For security reasons the details of these alternative arrangements cannot be released.

A report from a company with specialist expertise in this area to identify the work required to allow the facility to be re-opened is being prepared. Once the Commissioner has considered the report, I expect a proposal to be submitted to my Department.

### **Garda Reserve.**

201. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform if he will provide Deputies with a copy of all documentation produced by the officials in his Department who visited areas in Britain in which specials are used reporting on that visit. [16833/06]

### **Minister for Justice, Equality and Law Reform**

**(Mr. McDowell):** As the Deputy will be aware, I attended the National Conference of the Special Constabulary of England and Wales which was held on the weekend 31 March to 2 April. I was invited to attend the Conference by Mr. Peter Fahy, Chief Constable of the Cheshire Constabulary, who also holds national responsibility for the promotion and development of the Special Constabulary in England and Wales.

I was very glad to have the opportunity to hear at first hand the many positive experiences of special constabularies in England and Wales and to learn of their excellent relationships with the regular police forces there, and I have been very open in explaining what I observed.

Prior to my visit to Chester, officials of my Department and senior members of Garda management had visited the Home Office, the London Metropolitan Police and the Greater Manchester Police to research how the special constabulary operates in England and Wales, as part of the preparatory work for the formulation of proposals for the establishment of a Garda Reserve. These visits helped greatly in this work, and a wide range of information was acquired through material supplied by Chief Constable Fahy, meetings with officials, police and special constables, and attendance at the Conference.

While it would not be appropriate to publish all documentation associated with the visits, and given too that the range of information acquired could not be comprehensively captured in any individual document, I would be happy to respond as best I can to any specific questions the Deputy may have of our understanding of the Special Constabularies in Britain and their relevance to the proposals for a Garda Reserve.

### **Proposed Legislation.**

202. **Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform the groups and bodies that he consulted before publishing the Tribunals of Inquiry Bill 2005; and the extent of their involvement in the drafting process. [16837/06]

### **Minister for Justice, Equality and Law Reform**

**(Mr. McDowell):** The Tribunals of Inquiry Bill gives effect to recommendations contained in the 2005 Report of the Law Reform Commission on Public Inquiries Including Tribunals of Inquiries. That final Report was preceded by the Commission's Consultation Paper of 2003. The Bill also gives statutory backing to several statements made by the Minister for Finance regarding fees payable to legal representatives of persons who are party to proceedings before tribunals of inquiry.

The Deputy will appreciate that consultations and representations continue as a feature in relation to a Bill following its publication.

### **Departmental Committees.**

203. **Mr. Kenny** asked the Minister for Justice, Equality and Law Reform if he will provide a list of the membership of his Department's audit committee; and if he will make a statement on the matter. [17026/06]

### **Minister for Justice, Equality and Law Reform**

**(Mr. McDowell):** The membership of my Department's Audit Committee is as follows: Mr. Jimmy Farrelly (chairperson), Ms Sylva Langford, Mr. Jim McHugh, Mr. Robert Woods and Mr. Frank Goodman.

### **Student Accommodation.**

204. **Mr. O'Shea** asked the Minister for Education and Science her proposals to amend appendix 1 to section 50 of the Finance Act 1999 to include additional institutions and colleges (details supplied); and if she will make a statement on the matter. [16698/06]

### **Minister for Education and Science (Ms**

**Hanafin):** Appendix 1 of the Guidelines on Residential Developments for 3rd Level Students issued under Section 50 of the Finance Act, 1999 comprises a list of certifying educational institutions. Full time third level students attending a certifying educational institution, as defined in the guidelines, are eligible to occupy Section 50 accommodation certified by that institution.

In the circumstances whereby the primary objective of this scheme has been achieved, I am satisfied that the range of certifying educational institutions as detailed in Appendix 1 to the guidelines does not need to be broadened as advocated by the Deputy.



### Departmental Agencies.

205. **Dr. Upton** asked the Minister for Education and Science if a student representative from Dublin Institute of Technology will be added to the board of the Grangegorman Development Agency; and if she will make a statement on the matter. [16706/06]

211. **Ms O. Mitchell** asked the Minister for Education and Science if she will consider appointing representatives from the DIT Students' Union to the Grangegorman Development Agency. [16712/06]

223. **Mr. Crowe** asked the Minister for Education and Science the reason her Department has allegedly formed the Grangegorman Development Agency without even consulting the largest stakeholder, that is, the Dublin Institute of Technology students' union; and if she will ensure that this student body will have representation on the agency in question. [16812/06]

225. **Mr. F. McGrath** asked the Minister for Education and Science if the Dublin Institute of Technology students union will be included on the Grangegorman Development Agency; and if she will consult with them on this matter. [16820/06]

**Minister for Education and Science (Ms Hanafin):** I propose to take Questions Nos. 205, 211, 223 and 225 together.

I recently announced the appointment of Mr. John Fitzgerald, City Manager, Dublin City Council as Chairman of the Grangegorman Development Agency and I am now actively considering the other appointments to the Agency. In addition, I have recently written to the Minister for Health and Children, the Dublin Institute of Technology and the Dublin City Council requesting their nominations for consideration under Section 17 of the Act.

The Deputies will be interested to know that Section 22 of the Grangegorman Development Agency Act 2005 provides for the establishment, by the Agency, of a consultative group that is representative of all stakeholders interested in the development of the Grangegorman Site. I am pleased to advise the Deputies that the student body of the Dublin Institute of Technology is specified as a stakeholder under this section of the Act.

### Schools Building Projects.

206. **Mr. Bruton** asked the Minister for Education and Science if, in the context of Part V of the Planning and Development Act 2000, she will consider allowing developers to provide funding for new schools as part of their contribution to the Part V provision; if there are any examples in

the greater Dublin area of funding having been provided by this route; and if she will make a statement on the matter. [16707/06]

207. **Mr. Bruton** asked the Minister for Education and Science if she will report on the procedure involved in terms of planning for additional housing demand and the necessity to provide additional schools to meet that demand within the greater Dublin area; the role of her Department in terms of consulting with local authorities in Dublin in relation to this matter; and if she will make a statement on the matter. [16708/06]

208. **Mr. Bruton** asked the Minister for Education and Science the total number of sites in the ownership of her Department in the greater Dublin area and their location, which have still to be developed as primary or secondary schools in the school building programme; the total number of new schools which plan to be developed over the next five years within the greater Dublin area; and their location; and if she will make a statement on the matter. [16709/06]

**Minister for Education and Science (Ms Hanafin):** I propose to take Questions Nos. 206 to 208, inclusive, together.

Allowing developers to provide funding for new schools as part of their contribution under Part V of the Planning and Development Act 2000 is a matter for my colleague the Minister for the Environment, Heritage and Local Government. I can inform the Deputy, however, the provisions of the Planning and Development Act, 2000, as they currently stand, do not place any onus on developers to provide school sites other than at market rates. I am keeping an open mind as to whether legislative change might be of assistance or prove the best way forward here. In this regard, my Department has commenced exploratory discussions with the Department of the Environment, Heritage and Local Government. I would remind the Deputy, however, that any changes in this area would require careful consideration on a number of fronts not least the constitutional right to property but also the implications for social housing requirements.

With regard to planning future provision, the general process of assessing and planning for the need for additional provision at primary or post-primary level in any given area entails consideration of all relevant factors, including enrolment and demographic trends, housing and other developments and the capacity of existing schools to meet the demand for places.

My Department is included among the prescribed authorities to whom local authorities are statutorily obliged to send draft development plans or proposed variations to development plans for comment. As a matter of course meetings are arranged with local authorities to estab-

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lish the location, scale and pace of any major proposed developments and their possible implications for school provision.

Officials in the School Planning Section of my Department are strengthening contacts with local authorities to enable informed decisions to be made in planning future educational provision. For example, a specific forum, the Dublin School Planning Committee, chaired by officials of my Department, interacts with the Dublin local authorities. This forum comprises representatives of the local authorities in Dublin together with representatives of the Patron bodies of primary schools and works proactively in monitoring demographic changes and their likely impact.

Over and above this, as the Deputy will be aware, a new area based approach to school planning is being pursued by my Department. This involves a public consultation process and published area development plans which form a blueprint for schools' development in an area for a 10 year timeframe.

Specifically with regard to rapidly developing areas in Dublin, my Department is maximising the use of existing school facilities by providing extensions where site capacity allows along with the provision of new schools on Greenfield sites. This year alone, I authorised six primary school extensions, one post primary extension and six new primary schools to enter architectural planning in Dublin. This level of development is planned to continue with site negotiations at advanced stages for other school projects. There are 2 sites in the Dublin area in the ownership of my Department that have yet to be developed. One of these is at Kingswood Heights, Tallaght for a post primary school and the other site is in Rathcoole, Co. Dublin for a primary school. My Department is pursuing an ongoing programme of site acquisitions for school building purposes in many locations throughout the country including the Dublin area.

#### **Capitation Grants.**

209. **Mr. Haughey** asked the Minister for Education and Science if she is seriously committed to reduce the disparity in funding provided by her Department between voluntary secondary schools and community and comprehensive schools; the main mechanism to be used to ensure this reduction; if there is evidence of progress in this regard; if governance is an issue in this context; and if she will make a statement on the matter. [16710/06]

216. **Mr. F. McGrath** asked the Minister for Education and Science if assistance will be given to second level schools (details supplied) in particular with the capitation grants and the huge shortfalls, the high cost of school insurance, more provision and services for special needs education, the disparity between private and state

secondary schools and the widening gaps that are being created by this disparity; and if these issues will be made a priority. [16726/06]

**Minister for Education and Science (Ms Hanafin):** I propose to take Questions Nos. 209 and 216 together.

The funding arrangements made by my Department for second level schools reflect the sectoral division of our second level system. At the core of all arrangements is a reliance upon capitation as the principle determinant of funding. There are however significant differences in the approaches to insurance cover and the funding of services such as for secretarial and caretaking services. In my view it is important to consider these issues in the wider context of the equalisation of funding arrangements across the second level system.

There have been significant improvements in the level of funding for voluntary secondary schools in recent years. In addition to the increases in the standard per capita grant that now stands at €298 per pupil from January last, voluntary secondary schools have benefitted additionally by the introduction of grants under the School Services Support initiative. The standard support services grant that was increased to €107 from January 2006, has been enhanced by a further €10 per pupil since January 2006 in the case of voluntary secondary schools bringing the overall grant in the case of such schools to €159 per pupil. This increased grant of €52 per pupil is paid in addition to the range of equalisation grants of up to €15,554 (€44.44 per pupil) per annum that have also been approved for voluntary secondary schools.

There has also been enormous progress in relation to increasing the number of teachers in our schools who are specifically dedicated to providing education for children with special education needs. At second level, approximately 1,654 whole time equivalent additional teachers are in place to support pupils with special educational needs. This compares to the approximately 200 teachers that were in place in 1998 for such pupils. In addition, there are 532 whole time equivalent learning support teachers and approximately 1,102 whole time equivalent special needs assistants in our second level schools.

These significant increases in the funding of secondary schools is a clear demonstration of my commitment to prioritise available resources to address the needs of schools.

#### **Departmental Programmes.**

210. **Mr. Crowe** asked the Minister for Education and Science the reason the proposed expenditure review of Youthreach and senior Traveller training centres is not being undertaken by her Department inspectorate which conducts whole school evaluation and subject inspections at second level. [16711/06]

214. **Mr. F. McGrath** asked the Minister for Education and Science the reason for the proposed expenditure review of Youthreach and senior Traveller training centres not being undertaken by her Department inspectorate which conducts wholeschool evaluation and subject inspections at second level. [16715/06]

**Minister of State at the Department of Education and Science (Miss de Valera):** I propose to take Questions Nos. 210 and 214 together.

The expenditure review of Youthreach and Senior Traveller Training Centres referred to by the Deputies which is being conducted by my Department will cover all aspects of the Youthreach and Senior Traveller Training Centres. This review will take a holistic view of the centres and will endeavour to identify where improvements can be made.

An evaluation of the educational provision in Youthreach and Senior Traveller Training Centres is currently being undertaken by my Department's Inspectorate. This evaluation has been undertaken in 6 centres to date and will be undertaken in up to 30 centres in the period September to December. The evaluation by the inspectorate will be incorporated into the review of expenditure of these centres and a member of the inspectorate is on the Steering Committee which has been set up to oversee the review.

*Question No. 211 answered with Question No. 205.*

#### **School Transport.**

212. **Mr. N. O'Keeffe** asked the Minister for Education and Science if she has received a report from the transport liaison officer for County Cork in relation to the change in a special school bus route (details supplied); and the position regarding same. [16713/06]

**Minister of State at the Department of Education and Science (Miss de Valera):** My Department has received confirmation from the Transport Liaison Officer for County Cork that negotiations between parents and Bus Éireann have resolved the situation to the satisfaction of all parties concerned.

#### **Youth Services.**

213. **Mr. Neville** asked the Minister for Education and Science the position concerning an application by Limerick Youth Service for funding for a special project for youth in Rathkeale, County Limerick. [16714/06]

**Minister of State at the Department of Education and Science (Miss de Valera):** A request for funding under the Special Projects for Youth Scheme has been received in my Department on behalf of the Rathkeale Outreach Youth Project.

My Department is at present giving consideration to this request and to other applications made for youth work funding in 2006, having regard to the overall level of financial resources available for the youth work sector.

A decision in this matter will be given as soon as possible.

*Question No. 214 answered with Question No. 210.*

#### **Disadvantaged Status.**

215. **Dr. Cowley** asked the Minister for Education and Science if she has given consideration to the children who will lose out completely due to the conclusion of giving children an even break in June 2007; the options available to a person (details supplied) in County Mayo; and if she will make a statement on the matter. [16725/06]

222. **Mr. Ring** asked the Minister for Education and Science the impact which the loss of a rural co-ordinator to a school in County Mayo will have on the educational development of a person (details supplied) with special needs. [16795/06]

**Minister for Education and Science (Ms Hanafin):** I propose to take Questions Nos. 215 and 222 together.

I can confirm that the child in question is in receipt of full-time special needs assistant support and 5 hours resource teaching hours per week in the school referred to. The allocation of these supports are based on the individual assessed needs of the pupil and are not linked in any way to the giving children an even break scheme.

My Department is currently considering the arrangements to be made regarding the clustering of the 320 rural schools under the School Support Programme and other rural schools retaining their entitlements under previous programmes for 2006/2007. Schools will be notified of the proposed arrangements in due course.

I am sure the Deputies would agree that it is important to make sure that schools serving the most disadvantaged communities get all the extra support possible and will welcome the extra resources that DEIS will provide. I can assure the Deputies that there is no reason for schools that haven't been identified for the new programme to worry as they will continue to get support in line with the level of disadvantage among their pupils. No school has been told that they will lose any resources as a result of DEIS.

DEIS is designed to ensure that schools serving the most disadvantaged communities benefit from the maximum level of support available. Over the years, no less than 8 separate schemes for disadvantaged primary schools have been put in place. Some schools were benefiting from just one or two of these and others were benefiting from more. The DEIS initiative is designed to ensure that the most disadvantaged schools



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benefit from a comprehensive package of supports, while ensuring that others continue to get support in line with the level of disadvantage among their pupils.

While the whole rationale behind the new programme is to ensure that the most disadvantaged schools benefit from all of the available supports, schools that are benefiting from existing schemes will keep the extra resources — financial and human — that they are getting under these initiatives for the 2006/07 school year. After that they will continue to get support in line with the level of socio-economic disadvantage among their pupils.

A review process has been put in place for primary and second-level schools that did not qualify for participation in the new School Support Programme (SSP) and that regard themselves as having a level of disadvantage which is of a scale sufficient to warrant their inclusion in the Programme. The review process will operate under the direction of an independent person, charged with ensuring that all relevant identification processes and procedures were properly followed in the case of schools applying for a review. The closing date for receipt of review applications was Friday 31st March, 2006. The school in question has applied to be included in the review process which it is intended will be completed by the end of the current school year.

*Question No. 216 answered with Question No. 209.*

### **Schools Building Projects.**

217. **Mr. Bruton** asked the Minister for Education and Science the position concerning the provision of additional classrooms and school facilities for a school (details supplied) in Dublin 16; the progress made since 1 January 2002; her views on whether the position is satisfactory; and her Department's timeframe for meeting the full needs of the pupils attending the school as satisfactory. [16740/06]

**Minister for Education and Science (Ms Hanafin):** It is not clear which school the Deputy is referring to as there are several primary schools in the area in question. If the Deputy provides specific details to the School Planning Section of my Department, it will be happy to provide him with an update on the project concerned.

### **Disadvantaged Status.**

218. **Mr. Ring** asked the Minister for Education and Science if a primary school (details supplied) in County Mayo will be allowed to retain their rural co-ordinator post 2007; and if this school will be reviewed under DEIS to ensure that they are allocated adequate resources. [16741/06]

**Minister for Education and Science (Ms Hanafin):** I am sure the Deputy would agree that it is important to make sure that schools serving the most disadvantaged communities get all the extra support possible and will welcome the extra resources that DEIS will provide. I can assure the Deputy that there is no reason for schools that haven't been identified for the new programme to worry as they will continue to get support in line with the level of disadvantage among their pupils. No school has been told that they will lose any resources as a result of DEIS.

DEIS is designed to ensure that schools serving the most disadvantaged communities benefit from the maximum level of support available. Over the years, no less than eight separate schemes for disadvantaged primary schools have been put in place. Some schools were benefiting from just one or two of these and others were benefiting from more. The DEIS initiative is designed to ensure that the most disadvantaged schools benefit from a comprehensive package of supports, while ensuring that others continue to get support in line with the level of disadvantage among their pupils.

While the whole rationale behind the new programme is to ensure that the most disadvantaged schools benefit from all of the available supports, schools that are benefiting from existing schemes will keep the extra resources, financial and human, that they are getting under these initiatives for the 2006/07 school year. After that they will continue to get support in line with the level of socio-economic disadvantage among their pupils.

A review process has been put in place for primary and second-level schools that did not qualify for participation in the new School Support Programme (SSP) and that regard themselves as having a level of disadvantage which is of a scale sufficient to warrant their inclusion in the Programme. The review process will operate under the direction of an independent person, charged with ensuring that all relevant identification processes and procedures were properly followed in the case of schools applying for a review. The closing date for receipt of review applications was Friday 31 March, 2006. A Review application has been received by my Department from the school to which the Deputy refers. It is intended that the review process will be completed by the end of the current school year.

My Department is currently considering the arrangements to be made regarding the clustering of the 320 rural schools under the School Support Programme and other rural schools retaining their entitlements under previous programmes for 2006/2007. Schools will be notified of the proposed arrangements in due course.

### **Site Acquisitions.**

219. **Mr. Durkan** asked the Minister for Edu-



cation and Science if she has issued direct instructions in regard to the acquisition of a site for a new primary school at Kill, County Kildare having particular regard to her reply to Parliamentary Question No. 324 of 25 April 2006 and the continued safety threat to the children attending the presently located school; if she has received an indication as to the likelihood of early finalisation of the alternative site; if a solution has emerged following her Department's discussions with Kildare County Council or the Office of Public Works. [16773/06]

**Minister for Education and Science (Ms Hanafin):** As the Deputy is aware, the Property Management Section of the Office of Public Works was requested to source a site for the new primary school at Kill, Co. Kildare. A suitable site for the new primary school at Kill, Co. Kildare has now been identified and an agreement on price, subject to contract, has been reached. The Office of Public Works is now awaiting receipt of the relevant Contract documents. It is my intention to progress the building of the school as soon as the site has been acquired.

#### School Closures.

220. **Aengus Ó Snodaigh** asked the Minister for Education and Science the outcome of her meeting with the Christian Brothers in relation to a school (details supplied) in Dublin 8. [16774/06]

**Minister for Education and Science (Ms Hanafin):** I am pleased to inform the Deputy that following my meeting with the Christian Brothers Trustees yesterday, they have taken a decision to postpone the closure of the school to which the Deputy refers for another year. I welcome this development because it provides certainty for pupils, parents and teachers for the coming school year. Crucially it also allows my Department time to ensure that the pupils who would have expected a placement in the school in the coming years to have alternative placements. My Department can now work with the Trustees and those in other schools to achieve this.

#### Ionaid Oideachais.

221. D'fhiafraigh **Mr. McGinley** den Aire Oideachais agus Eolaíochta an eol di an obair thabachtach atá ar siúl ag ionaid oideachais Gaeltachta maidir le teagasc na Gaeilge sna scoileanna Gaeltachta agus Gaelscoileanna, an tábhacht atá le gach tacaíocht a thabhairt dóibh, an bhfuil sé ar intinn aici iad a dhéanamh buan agus lánaimseartha; agus an ndéanfaidh sí ráiteas ina thaobh. [16776/06]

**Minister for Education and Science (Ms Hanafin):** Déanann an Teachta tagairt do chuid dos na hIonaid Oideachais san líonra Ionad Oideachais atá suite go straitéiseach ar fud na tíre. Tá

21 Ionad Oideachais ag feidhmiú go lán aimseartha agus 9 gcinn ag feidhmiú ar bhonn páirt-aimseartha. Tá an líonra seo rí-thabachtach maidir le polasaí mo Roinne i dtaobh fhorbairt ghairmiúil leanúnach a chur ar fáil d'oidí i gcomhthéacs cláracha náisiúnta sa churaclam agus chun freastal ar riachtanais ghairmiúla eile oidí a aimsítear sna cheantracha maguaird.

Cuidíonn an líonra Ionad Oideachais seo le forbairt ghairmiúil oidí tré cláracha inseirbhíse nua a chur ar fáil dóibh san agus don gcomhluadar oideachais atá níos leithne. Chomh maith le san, cabhraíonn na hIonaid Oideachais leis na rannpháirtithe uile sa chomhthionól oideachais áitiúil an lámh in uachtar a fháil ar dúshlán a thagann leis an athru. Cuireadh go mor freisin leis an gcomhoibriú san oideachas de bharr na freagrachtaí nua a tugadh dos na hionaid Oideachais faoi théarmaí Acht Oideachais, 1998.

Tá mé sásta gur leor é, an líonra Ionad Oideachais atá ann faoi láthair, chun freastal ar riachtanais ghairmiúla oidí ag an tráth seo agus dár ndoigh beidh an scéal faoi athbheithniú i gcomhthéacs riachtanais nua a thagann ar an saol.

*Question No. 222 was answered with Question No. 215.*

*Question No. 223 was answered with Question No. 205.*

224. D'fhiafraigh **Mr. O'Shea** den Aire Oideachais agus Eolaíochta an nglacann sí leis anois go bhfuil na páirtithe leasmhara reachtúla go léir ar aon fhocal maidir le forbairt Ionad Náisiúnta Oideachais Ghaeilge Bhaile Mhúirne, a ceadáidh ar dtús i 1999, cathain atá sé i gceist aici na páirtithe seo a thabhairt le chéile chun an cheist a phlé agus chun teacht ar aontú (sonraí tugtha), agus an ndéanfaidh sí ráiteas ina thaobh. [16816/06]

**Minister for Education and Science (Ms Hanafin):** Tá fhios agam go bhfuil an Chomhairle um Oideachas Gaeltachta agus Gaelscolaíochta sásta tacaíocht a thabhairt don Ionad Náisiúnta Oideachais Gaeilge i mBaile Bhúirne.

Tá ceist an Ionaid á plé faoi láthair leis an Roinn Gnóthaí Pobail Tuaithe agus Gaeltachta agus déanfar cinneadh faoi chomh luath agus is féidir. Sa chomhthéacs sin tá sé ar intinn freisin dul i gcomhairle leis na páirtithe leasmhara.

*Question No. 225 was answered with Question No. 205.*

#### Departmental Programmes.

226. **Mr. O'Shea** asked the Minister for Education and Science further to Parliamentary Question No. 746 of 21 March 2006, if progress has been made regarding the walk tall support being extended to other areas of disadvantage

[Mr. O'Shea.]

outside of local drugs task force areas; and if she will make a statement on the matter. [16838/06]

**Minister for Education and Science (Ms Hanafin):** I understand that the Steering Committee of the Substance Misuse Prevention Programme has submitted to my Department a proposal with a number of options for extending the SMPP (Walk Tall Programme) to other areas of disadvantage which are outside the local drugs task forces.

The proposals are currently under examination by officials and this examination involves consultation with the Walk Tall Support Programme personnel to explore, amongst other issues, the feasibility of extending the Programme to areas of disadvantage which are outside the local drugs task forces.

Once this examination has been completed, I have been assured that a range of options in relation to any proposed extension of the Walk Tall Programme will be provided for my consideration in the context of demands for the service and available resources.

#### Departmental Committees.

227. **Mr. Kenny** asked the Minister for Education and Science if she will provide a list of the membership of her Department's audit committee; and if she will make a statement on the matter. [17027/06]

**Minister for Education and Science (Ms Hanafin):** The membership of the audit committee in my Department is: Mr. Tom O'Higgins (External) (Chairperson); Mr. Dave Wilson (External); Ms Bernadette Lacey (External) Director General, Department of Social & Family Affairs; Mr. Paul Ryan, Principal Officer, Department of Education & Science; and, Mr. Pádraig Mac Sitric, Assistant Chief Inspector, Department of Education & Science.

#### Tribunals of Inquiry.

228. **Mr. Quinn** asked the Minister for Defence if he has received from the Tribunal of Inquiry into Certain Planning Matters and Payments notification of a decision of the Tribunal under paragraph J (2) of its terms of reference, being a decision to proceed with a public hearing on a matter additional to the matters listed in paragraph J (1) (a) to (g) of those terms of reference; if so, the number of such notifications and the nature of the additional matter or matters; and if he will make a statement on the matter. [16789/06]

**Minister for Defence (Mr. O'Dea):** I assume the Deputy's question relates to my official position as Minister for Defence. My Department has not received any notification of a decision by the Tribunal of Inquiry into Certain Planning Matters

pursuant to paragraph J(2) of its amended terms of reference. I have no official role in relation to any such notifications that may have been issued to individuals on a personal basis. Such individuals are required by the Tribunal not to disclose that fact or the names of other persons written to.

#### Departmental Committees.

229. **Mr. Kenny** asked the Minister for Defence if he will provide a list of the membership of his Department's audit committee; and if he will make a statement on the matter. [17028/06]

**Minister for Defence (Mr. O'Dea):** The Chairman of my Department's Audit Committee is Mr. Brian McDonnell, former Chief Executive of the Irish Aviation Authority. The second external member is Mr. John Blyth, retired Professional Accountant. The other members are the Department's two Assistant Secretaries and Head of Corporate Services; and the Defence Forces' Deputy Chief of Staff (Support) and Director of Administration.

#### Building Regulations.

230. **Mr. Callely** asked the Minister for the Environment, Heritage and Local Government the discussions which have taken place between his Department and the house builder representative bodies regarding energy saving mechanisms for new house builds. [16693/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Views from the house building industry on proposals to improve the energy performance of new dwellings are generally secured by means of an open and transparent public consultation process.

In 2001, the Irish Home Builders Association (IHBA) submitted comments on draft proposals to amend Part L (Conservation of Fuel and Energy) of the Building Regulations so as to prescribe stricter thermal performance and insulation standards for new dwellings. The Building Regulations Advisory Body (BRAB), which includes a nominee of the CIF, was also consulted on the draft Part L proposals. The amending Part L Regulations came into operation on 1 January 2003.

In 2005, the IHBA submitted comments to Sustainable Energy Ireland (SEI) on the draft Action Plan to implement the EU Energy Performance of Buildings Directive [2002/91/EC of 16 December 2002] in Ireland. I expect to approve the definitive Action Plan within the coming weeks.

#### Water and Sewerage Schemes.

231. **Mr. Stagg** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that despite the recent revelations on RTE's Prime-

time programme concerning the quality of water in group water schemes in County Mayo, the situation has not improved and that families in the area are still at risk from contaminated water; if his attention has further been drawn to the fact that one group water scheme (details supplied) is in breach of EU Directive 2000/60/EC on the provision of clean drinking water; and if he will use the powers vested in him to ensure that an emergency supply of clean water is provided to the area concerned and the local primary school in particular; if professional personnel will be provided to monitor the quality of drinking water in the area until Mayo County Council is in a position to provide a treatment plant and palatable water; if he, who has provided substantial funding has satisfied himself with the response of Mayo County Council to the water quality situation in the county generally and in this area in particular; and if he will make a statement on the matter. [16704/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Funding for the development of the group water scheme sector is provided by my Department through annual block grant allocations to the local authorities under the Rural Water Programme. The overall provision for the Programme in 2006 is a record €133m.

I understand that issues relating to group scheme compliance with mandatory drinking water standards in County Mayo are largely confined to schemes that rely on substandard private surface and ground water sources. The strategy in the Action Plan drawn up by the National Rural Water Monitoring Committee for bringing such schemes into compliance is to connect them to public water supply networks or, where this is not feasible, to provide on-site water treatment and disinfection facilities. Responsibility for the planning, approval and funding of such solutions is the responsibility of the local authorities under the devolved Rural Water Programme.

Earlier this year, in response to Mayo County Council's extensive group water scheme upgrading proposals, I approved an allocation of €17m for the county's group schemes under the 2006 Rural Water Programme. Some €10.75m from this allocation will be expended on the provision of treatment and disinfection facilities for up to 42 group water schemes, including the Fahy scheme, which, between them, serve over 7,000 households. A further €5m will be invested in connecting 20 more group schemes to public water supply networks. In addition, I will be providing significant funding to the Council to support the administrative and technical resources assigned to the planning and implementation of the Rural Water Programme. I allocated €390,000 to the Council under this heading in 2005.

I am satisfied that sufficient funding is being provided under the Rural Water Programme for

Mayo County Council to expeditiously eliminate substandard group water scheme supplies and that the Council, in partnership with the group water scheme sector, is advancing the associated works as quickly as possible. As in previous years, in the event of Mayo County Council exceeding its current progress targets, I will consider making an increased allocation to them from any savings elsewhere.

#### **Social and Affordable Housing.**

232. **Mr. N. O'Keeffe** asked the Minister for the Environment, Heritage and Local Government the position regarding the provision of funding for a project (details supplied) in County Cork. [16705/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** Following the receipt of documentation requested from Cork County Council, which is responsible for the detailed administration of the voluntary housing scheme in its area, further clarification has been sought and is awaited. When this is to hand the application will be further considered by my Department and the Council will be advised of the outcome as soon as possible.

#### **Radon Gas.**

233. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the location showing highest levels of radon gas in County Kildare; and if he will make a statement on the matter. [16723/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** To date, the Radiological Protection Institute of Ireland (RPII) has carried out 776838 radon measurements in homes in County Kildare. Of these, 41 44 were found to be above the National Reference Level of 200 Becquerels per cubic metre (Bq/m<sup>3</sup>), with the highest level being 1,114 Bq/m<sup>3</sup> in a house in Naas.

As part of a nationwide survey of schools carried out at the request of the Department of Education and Science and which commenced in 1998, the RPII measured radon levels in 126 schools in the County. Of these, 24 schools had radon levels above the Reference Level of 200 Bq/m<sup>3</sup> in at least one room, including 2 schools in Kilcock which had radon levels in excess of 1000 Bq/m<sup>3</sup> in at least one room. The Department of Education and Science has provided funding for remedial measures in all of the schools with radon levels above the Reference Level.

RPII has also carried out radon measurement in 2012 workplaces in Kildare. None of these workplaces was found to have radon levels above the Reference Level of 400 Bq/m<sup>3</sup> for work-



[Mr. Roche.]

places. I should mention that as the RPII are not the only organisation carrying out a radon measurement service, the actual number of work-places that have been measured may be greater.

The Government has over the years, largely through the RPII, committed significant resources to assessing the extent of the radon problem throughout the country. For many years now, the RPII has been encouraging householders, particularly those in high radon areas, to have their homes tested for radon and to undertake radon remediation works where necessary. Government efforts and resources, together with the RPII, will continue to focus on highlighting public awareness of radon and on improving information to householders so as to enable and encourage them to address monitoring or remedial requirements effectively and economically.

#### Special Areas of Conservation.

234. **Mr. Connaughton** asked the Minister for the Environment, Heritage and Local Government the reason proceeds of a sale of bog contained in a special area of conservation has not been awarded to a person (details supplied) in County Galway; the status of the sale; and if he will make a statement on the matter. [16756/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Contracts submitted by the solicitor for the person named in relation to the sale of turbary rights only to my Department are currently being examined in the Chief State Solicitor's Office, in preparation for completion of the transaction. I understand that an offer to purchase the turbary rights only on a second parcel of land offered for sale will issue from my Department within the next two weeks.

#### Tribunals of Inquiry.

235. **Mr. Quinn** asked the Minister for the Environment, Heritage and Local Government if he has received from the Tribunal of Inquiry into Certain Planning Matters and Payments notification of a decision of the Tribunal under paragraph J (2) of its terms of reference, being a decision to proceed with a public hearing on a matter additional to the matters listed in paragraph J (1) (a) to (g) of those terms of reference; if so, the number of such notifications and the nature of the additional matter or matters; and if he will make a statement on the matter. [16790/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I assume that the Question relates to my official position as Minister for the Environment, Heritage and Local Government. My Department has not received any notification of a decision by the Tri-

bunal of Inquiry into Certain Planning Matters pursuant to paragraph J(2) of its amended terms of reference. I have no official role in relation to any such notifications that may have been issued to individuals on a personal basis. Such individuals are required by the Tribunal not to disclose that fact or the names of other persons written to.

#### Greenhouse Gas Emissions.

236. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the extent to which he expects Ireland to comply with the Kyoto principles; and if he will make a statement on the matter. [16800/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I expect Ireland to comply fully with its greenhouse gas limitation target for the purposes of the Kyoto Protocol. This will be achieved through: a variety of measures to reduce emissions throughout the economy, including those set out in the National Climate Change Strategy and measures adopted subsequently by Government; emissions reductions, or purchase of carbon allowances in lieu of reductions, by installations participating in the EU Emissions Trading Scheme; and use of the Kyoto Protocol flexible mechanisms by the Government to purchase credits for carbon reductions elsewhere in the world.

#### Local Authority Housing.

237. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the number of families currently on local authority housing lists; and if he will make a statement on the matter. [16802/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Ahern):** The most recent assessment of need for social housing, which was undertaken by local authorities in March 2005, indicated that there were 43,684 households on local authority housing waiting lists compared with 48,413 households in March 2002, a decrease of almost 10%. More comprehensive data on the assessment at an individual local authority level will be published shortly in the Annual Bulletin of Housing Statistics and on my Department's website at [www.environ.ie](http://www.environ.ie).

In December 2005, the Government launched a new Housing Policy Framework: Building Sustainable Communities which outlines key principles underpinning housing policy and investment over the coming years. Substantial increased investment in social and affordable housing is outlined in the framework. This will allow for some 23,000 new social homes to be commenced between 2006 and 2008; and some 15,000 affordable homes to be delivered. In total, some 50,000 households will benefit over the



coming three years from an Exchequer capital investment package of close to €4 billion. Allied to this, a package of reforms is proposed to improve equity, efficiency and effectiveness. The focus is on improving community participation, improving services to ensure personal choice, autonomy and responsibility.

Local authorities have been urged to accelerate progress on the implementation of their housing programmes in order to commence construction and secure completion on as many social housing schemes as possible in 2006.

238. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if the various local authorities will be instructed to increase shared ownership loans to a more realistic level; and if he will make a statement on the matter. [16803/06]

239. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the way in which he expects first time house buyers to purchase a home on foot of the maximum shared ownership loan which stands at €185,000.00; and if he will make a statement on the matter. [16804/06]

**Minister of State at the Department of the Environment, Heritage and Local Government (Mr. N. Aherne):** I propose to take Questions Nos. 238 and 239 together.

The loan limit for the Shared Ownership Scheme was reviewed and increased with effect from 1 January 2006. The maximum loan that may be advanced by a local authority in respect of the share of the dwelling being purchased (minimum 40%) is €185,000. However, the cost of the dwelling may exceed this amount subject to the borrower's income being sufficient to meet the financial commitments involved under the scheme. Local authorities may also apply a house purchase price upper limit to reflect local market conditions, to ensure priority of funding for lower income groups and to avoid any significant impact on house prices in their area.

Local authorities assess each application for shared ownership on its merits, having regard, in particular, to the applicant's ability to make the necessary mortgage and rent payments. They ensure, in determining the level of finance approved or house price, that monthly outgoings do not exceed 35% of net household income. While there are no plans at present to alter the terms of the scheme, I am committed to keeping it under review.

#### **Air Pollution.**

240. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he has observed an increase in air pollutants as recorded at the various monitoring stations

throughout the country; and if he will make a statement on the matter. [16805/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** Air quality assessment is the responsibility of the Environmental Protection Agency and air quality management a matter for local authorities informed by air quality measurement data.

The EPA's Ambient Air Quality in Ireland Report 2004, published in January 2006 (available in the Oireachtas Library), contains details of the monitoring and assessment of national air quality, and incorporates data from all air quality monitoring stations operated by the EPA and local authorities. Air quality was good throughout the country in 2004 and complied with the air quality standards in force for all pollutants.

The EPA has not drawn my attention to any particular issue in regard to air quality on the basis of the most recent data available.

*Question No. 241 answered with Question No. 47.*

#### **Water Supply.**

242. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government if he has satisfied himself regarding the adequacy and storage capacity of the domestic water supply; if adequate provision has been made for future requirements in view of economic and population expansion; and if he will make a statement on the matter. [16807/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I refer to reply to Question No. 219 of 8 March 2006.

*Question No. 243 answered with Question No. 53.*

#### **Water and Sewerage Schemes.**

244. **Mr. Durkan** asked the Minister for the Environment, Heritage and Local Government the action which has been taken to alleviate methane gas emissions from the main sewer at Leixlip, County Kildare; and if he will make a statement on the matter. [16829/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** I refer to reply to Question No. 216 of 8 March 2006.

#### **Departmental Committees.**

245. **Mr. Kenny** asked the Minister for the Environment, Heritage and Local Government if he will provide a list of the membership of his Department's audit committee; and if he will make a statement on the matter. [17029/06]

**Minister for the Environment, Heritage and Local Government (Mr. Roche):** This Department's Audit Committee was established in 2004 and comprises the following five members: Jerry Killeen (former Financial Controller and Company Secretary, Dublin Port Company), Chairman; Eric Embleton (former Assistant Secretary,

CMOD, Department of Finance); Donal O'Donoghue (former County Manager, Galway County Council); Noel O'Connell (Director of Audit, Local Government Audit Service); and, Michael Canny (Assistant Secretary, Department of the Environment, Heritage & Local Government).