



DÍOSPÓIREACHTAÍ PARLAIMINTE
PARLIAMENTARY DEBATES

DÁIL ÉIREANN

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

Wednesday, 14 November 2007.

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DÁIL ÉIREANN

Dé Céadaoin, 14 Samhain 2007.
Wednesday, 14 November 2007.

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

Paidir.
Prayer.

Leaders' Questions.

Deputy Enda Kenny: Since the general election, we have seen the true value of Fianna Fáil policies, with hospital wards closed, operations cancelled, home help hours cut back, children's dental services cancelled, suicide prevention training cancelled and a ban on recruitment that has directly hit frontline services in the health area. However, there is one area in the health sector that has seen no recruitment ban and that is the Office of the Minister for Health and Children. Since 2002, the cost of special advisers to the Minister has risen from €206,000 to €666,000.

Deputy Pádraic McCormack: It is sinful.

Deputy Enda Kenny: Will the Taoiseach explain why this is so in the midst of the shambles over which he and the Minister for Health and Children preside? How can he justify the value for money this represents given what is falling down around us?

Deputy Pádraic McCormack: People cannot get four hours of home help.

The Taoiseach: Deputy Kenny continues in his attempt to attack the health service.

Deputy Brian Cowen: He continues whining.

Deputy Pádraic McCormack: Will the Taoiseach answer the question?

The Taoiseach: I will answer the question.

Deputy Alan Shatter: It is a case of Government and managerial incompetence.

The Taoiseach: It is regrettable that the enormous amount of good service, work in the community and all the other activities being carried out by the HSE are continually attacked in this House.

Deputy James Bannon: Will the Taoiseach tell that to the people of Longford-Westmeath?

Deputy Pádraic McCormack: The Taoiseach should take his head out of the sand.

An Ceann Comhairle: Allow the Taoiseach to continue without interruption.

The Taoiseach: The people of Westmeath and every other county acknowledge the improvements in the health service while understanding the difficulties. I do not understand the question asked by Deputy Kenny.

Deputy Pádraic McCormack: The Taoiseach is making trouble for himself by not answering the question.

The Taoiseach: He says he is in favour of the reform programme, that he wants the discussions and negotiations with the consultants and the non-consultant hospital doctors concluded and that he wants to see us move towards implementing reduced working hours for nurses. We want to see the paramedical talks resumed, to conclude the agreement with pharmacists and to improve the hospital development programme. We want to do all these things with fewer staff.

Deputy Bernard J. Durkan: Nothing has been done.

Deputy Seymour Crawford: Nobody can agree on anything.

The Taoiseach: We either want the Minister for Health and Children to be given an opportunity to obtain best value for money within the €15 billion budget and with a staff of 120,000, and to reform the health system as we have been talking about, or we do not.

Deputy Pádraic McCormack: Will the Taoiseach answer the question?

The Taoiseach: As we know, when Deputy Kenny last saw the inside of a Department there were 55 advisers assigned to the various Departments whereas now there are only 34.

Deputy Pádraic McCormack: Where did the Taoiseach get that figure?

Deputy Enda Kenny: As with many other issues, the Taoiseach either does not understand or does not want to understand. I will ask the question again. Does an increase from €206,000 to €666,000 in the cost of special advisers in the Minister for Health and Children's office represent good value? If the Taoiseach did not understand the question the first time, I hope he does the second time. The Government calls to mind something Ronald Reagan said — it is like a baby's alimentary canal in that it has a huge

[Deputy Enda Kenny.]

appetite at one end and no responsibility at the other.

Deputy Alan Shatter: It is time we got to the bottom of it.

Deputy Enda Kenny: There is bureaucratic bungling. Ministers can wipe their hands of that until they have to explain to somebody why an operation is cancelled, dental treatment is cancelled, suicide prevention training is cancelled or it is not possible to obtain four hours of home help. The Taoiseach has admitted to me in this House that there is a bureaucratic bulge in the administrative section of the HSE. The Government recognises that it went the wrong way in setting up a structure that is overmanned and over-managed. I will ask the question again. Does the Taoiseach consider that the increase in costs to €666,000 in the Minister for Health and Children's office represents good value?

When will the Government start practising what it preaches? The Taoiseach preaches pay restraint but he is by far and away the highest paid world leader. He does not have a White House, he does not have the yachts, he does not have the aeroplanes—

Deputy Éamon Ó Cuív: Is that what Deputy Kenny wants?

Deputy Enda Kenny: —but he represents 4 million people as against 200 million in some cases and 80 million or 50 million in others. When will he practise the pay restraint that he preaches?

Deputies: Hear, hear.

Deputy Enda Kenny: When will we see value for money in the €4 million that is now allocated to special advisers for Ministers whose salaries are on a range from €250,000 to €270,000 and €318,000 in the Taoiseach's case?

The Taoiseach: I answered the Deputy's question. The staff working for the Minister for Health and Children are working to their full capacity and to the best of their ability—

Deputy Bernard J. Durkan: That is even worse.

Deputy Brian Hayes: I would hate to see where we would be if they were not working to their full capacity.

The Taoiseach: —and are doing an excellent job in helping the Minister to make the necessary reforms in the Department.

Deputy Seymour Crawford: They are closing hospital wards.

The Taoiseach: Those in the HSE are working to bring in the reforms that are necessary. I do not accept this ongoing attack on the health service in which more than 1 million people a year are receiving treatment. Hospitals are doing their best and we are spending €500 million a year on the capital programme. In many cases, including in respect of maternity and children's cardiac surgery, figures are never quoted in this House because people just look through reports, as we saw yesterday, find the negative and attack the service. The health service is staffed by highly competent people doing their jobs in a highly competent way. We should be proud of them instead of always ridiculing them.

Deputy Pádraic McCormack: Does that include the Minister?

The Taoiseach: I am the first to admit where there are problems, difficulties and shortfalls and that we must set about addressing those.

Deputy Alan Shatter: The Taoiseach has had ten years to do so.

The Taoiseach: Do Opposition Members expect that the Minister for Health and Children and other Ministers can sit in their Departments with no staff and properly manage a budget of €52 billion? That is not possible. This Government is committed to getting the best possible return on all the resources—

Deputy Bernard Allen: What about staff?

The Taoiseach: —to ensure taxpayers' money is used efficiently and effectively to give the very best service that we can.

Deputy Pádraic McCormack: Does the Taoiseach think that is happening?

The Taoiseach: Where we are seeking reform to do that, I would very much like if on some day of the year, for one minute, we would get some support to give a better service to the public, rather than the usual diatribe from the Opposition.

Deputy Michael Ring: Professor Brendan Drumm is the real Minister for Health and Children.

Deputy Alan Shatter: The Government should be carrying out reform rather than talking about it.

Deputy Joan Burton: I will move to a different issue. I congratulate the Taoiseach and his Ministers on arriving to work in the Dáil today clean and dry at a time when thousands of Dubliners are out there walking through the rain to work. Some years ago, at the beginning of November 2005, there was an extraordinary Government

media blitz when the Taoiseach and an array of Ministers set out the plan for Transport 21. We were told this plan would modernise Ireland and all its major cities with regard to public transport.

Our young people have travelled the world and admired transport systems such as subways in the United States or the Far East, trams in Bordeaux or the underground in Lisbon.

Deputy Martin Cullen: There is the Luas in Dublin.

Deputy Joan Burton: Those people were to come home and find, in the space of five or six years from 2005, public transport transformed in Dublin, Cork, Limerick and Galway. Here we are in November 2007, it is a rainy day out there and many women like me are having a bad hair day because there is no public transport.

Deputy Willie O'Dea: The Deputy said it.

Deputy Brendan Smith: The Government is to blame for the rain now.

An Ceann Comhairle: Deputy Burton, without interruption.

Deputy Joan Burton: Most people out there are not interested in a jet or a yacht, they would just like to see buses and trains and more Luas trams.

What has happened to the plan? The Minister for Transport announced the extension of the Tallaght Luas line to Citywest is to be put back. The Connolly to the Docklands Luas extension is essential to connect up the new Docklands station. I was there when the Taoiseach opened the station; it is lovely, but there is no connection. Such a connection is to be put back because of technical difficulties.

We are being told the proposed new Luas lines, not to mention the metro to the airport, are experiencing difficulties. All the completion dates are going back by one to three years, slowly but surely. The Cork to Midleton commuter rail service has gone back by a year. Apparently technical problems are holding up the Limerick southern ring road. Even the Portlaoise train depot, which was to be built and available around now, is still in *mañana* land.

Who in Government is competently in charge of delivering the public transport this country needs and deserves to get on with doing its business? Does the Taoiseach believe the Minister for Transport, Deputy Noel Dempsey, is up to the job? Has the thought crossed the Taoiseach's mind that the Minister may need the support of his Cabinet colleagues and that of the Taoiseach himself to deliver these projects?

An Ceann Comhairle: Deputy Burton is well over her time.

Deputy Joan Burton: Where is the Government on the public transport issue?

The Taoiseach: Transport 21 is thankfully going extremely well.

Deputy James Bannon: Where is the Leitrim to Sligo line?

Deputy Pádraic McCormack: Everything is rosy in the garden.

The Taoiseach: We took delivery of 100 buses this year and 50 have been introduced into service. As part of that process of introducing the balance of 50 buses, we now wish to enhance the services to existing routes from Ballymun to Ballybrack, and introduce a new route, the 128, the north fringe buses going through Baldoye, the Malahide road and Fairview.

Deputy Burton asked about the Luas I promised. It opened about three years ago and 30 million people are travelling on it.

Deputy Martin Cullen: Hear, hear.

Deputy Alan Shatter: That was three years late as well.

The Taoiseach: There are seven new Luas projects in Transport 21. The construction of the line to the docks is well under way, as is the Cherrywood extension. The rail lines in Kildare and upgrading of stations in some cases is under way.

Deputy Bernard J. Durkan: The overcrowded trains with no extra carriages.

The Taoiseach: There are two metro lines, one going through the airport and Swords and the other going west. They are both at different stages of development. The engineering and planning work for the underground station at St. Stephen's Green integrating the metro and Luas is under way. The DART extensions in Dublin and the track of the Kildare route is under way.

Most road programmes are well ahead of schedule.

Deputy Jan O'Sullivan: What about outside Dublin?

The Taoiseach: In the Deputy's end of the bailiwick, the Liffey Valley junction will be finished for Christmas, way ahead of schedule.

Deputy Bernard J. Durkan: It will be like Disneyland.

The Taoiseach: The main junction at the Red Cow will be finished next Christmas, about a year ahead of schedule.

Deputy Pádraic McCormack: Is it Christmas toys the Taoiseach is talking about?

Deputy Martin Cullen: That is ahead of schedule.

The Taoiseach: Some of the main infrastructural roads, such as the Limerick to Nenagh route, are well ahead of schedule. The project from Tyrrellspass to Athlone will be opened in the new year and work is under way on the Ballinasloe to Athlone route. The third contract to bring it all the way from Galway to Dublin, the Galway to Athlone-side of Ballinasloe route, is also under way. Work on 60 km of road to Cork is well advanced.

Work on the route to Waterford has been a bit slower but it is now under way. It is divided into three contracts. There is one going to Carlow, which is almost finished, as well as the other two. Should I continue?

Deputy Bernard J. Durkan: The Taoiseach is great fun, he is great gas.

Deputy Joan Burton: My question concerned public transport. I would be the first to acknowledge the National Roads Authority seems to have finally got its act together. The changes by the Minister for Finance, Deputy Cowen, regarding funding procedures have helped. Not everyone wants to or can drive a car into Dublin city centre, Limerick, Cork or Galway.

If we want to do our business as a modern economy, where is the public transport? The integrated signalling for the Liffey Junction line is still years away, and in taking the train from Maynooth to Connolly station, one finds the locals fondly call it “The Calcutta Express” because people are jammed on trains and there is such a lack of trains.

The Taoiseach mentioned an extra 100 buses. How many of those buses are in service and how many of those are replacements for clapped-out buses which were not replaced for about ten years? How much additional resourcing are we getting? People want to use public transport but it is impossible to do business or go to a job if reliable public transport is not available.

Where is the Minister, Deputy Noel Dempsey, on all this? He gave us flights of fancy on electronic voting and so on. Is he thinking away in some ivory tower? We want public transport now. Has the Taoiseach confidence in the Minister's capacity to deliver? He has already announced to my colleague, Deputy Tommy Broughan, that eight out of 12 of the public transport projects in Transport 21 have had their completion dates pushed back by at least one year. Is the Taoiseach aware of this and does he continue to have confidence in this Minister?

The Taoiseach: I apologise to the Deputy if I did not mention the public transport end of the issue. There are more than 1,100 new buses at Dublin Bus, including 100 new buses delivered recently. The dispute centres on 50 of these buses

being used on the Ballymun to Blackrock route and the introduction of the new north fringe route taking in Baldoyle, the Malahide road, Fairview, the city centre and Rathmines. I wish the chairman of the Labour Court and both sets of negotiators well this morning. I hope they can resolve these issues because it is a wet morning and 60,000 commuters have had to make alternative arrangements.

Deputy Joan Burton: They are walking.

The Taoiseach: I hope the dispute can be resolved. It has been before the Labour Court and the Labour Relations Commission and a decision was made by the Labour Court which normally people would be honour-bound to accept. I understand that sometimes that does not happen. In this case the management went through arbitration and the full conciliation process in the Labour Relations Commission. Management went to the Labour Court, where it won its case, and the workers decided to strike. That is the position and they must resolve it. I hope in the interests of the company and the jobs both sides can resolve this issue as soon as possible.

Bus Éireann has over 600 new buses and Irish Rail will accept delivery of 183 new rail cars in the next few years. Our rail fleet will then be the youngest in Europe.

Deputy Joan Burton: It is also the smallest in Europe.

The Taoiseach: There are hourly trains to Cork, as opposed to the twice daily service ten years ago. We are extending services on other routes and I hope people use those trains as originally they were not running because of a lack of use. The Tánaiste and Minister for Finance is giving a huge amount of resources — €34.5 billion — to help and much of that will be going to public transport so people commute on it.

With Transport 21 and the western rail corridor, the new commuter services to Galway coming on stream and work on inter-urban roads under way, the Minister for Transport, the NRA and the other agencies are everyday making further improvements.

Ceisteanna — Questions.

Northern Ireland Issues.

1. **Deputy Eamon Gilmore** asked the Taoiseach if he will make a statement on his participation in the meeting of the British-Irish Council in Belfast on 16 July 2007. [19876/07]

2. **Deputy Eamon Gilmore** asked the Taoiseach if he will make a statement on meetings he has had with other participants on the margins of the

British-Irish Council meeting in Belfast on 16 July 2007. [19877/07]

3. **Deputy Eamon Gilmore** asked the Taoiseach if he will make a statement on his participation in the meeting of the North-South Ministerial Council in Armagh on 17 July 2007. [19878/07]

4. **Deputy Eamon Gilmore** asked the Taoiseach the discussions that have taken place with the social partners arising from the conclusions of the North-South Ministerial Council in Armagh on 17 July 2007 regarding the establishment of the North-South consultative forum, first proposed in the Belfast Agreement; and if he will make a statement on the matter. [19879/07]

5. **Deputy Enda Kenny** asked the Taoiseach if he will report on recent developments in Northern Ireland; and if he will make a statement on the matter. [20264/07]

6. **Deputy Enda Kenny** asked the Taoiseach if he will report on his contacts with the political parties in Northern Ireland; and if he will make a statement on the matter. [20265/07]

7. **Deputy Enda Kenny** asked the Taoiseach if he will report on his contacts with the new British Prime Minister, Mr. Brown; and if he will make a statement on the matter. [20266/07]

8. **Deputy James Bannon** asked the Taoiseach the steps he will take to maintain the British-Irish relations fostered by Prime Minister Blair; and if he will make a statement on the matter. [20269/07]

9. **Deputy Caoimhghín Ó Caoláin** asked the Taoiseach if he will report on the discussions he has had with the new British Prime Minister, Mr. Gordon Brown, on the Irish peace process; and if he will make a statement on the matter. [20607/07]

10. **Deputy Eamon Gilmore** asked the Taoiseach if he, his Department or anyone acting on behalf of his Department made representations to the Northern Ireland Minister for Social Development, Ms. Margaret Ritchie MLA, in connection with her decision to withhold certain funding under the conflict transformation initiative as a result of the refusal of the UDA to begin decommissioning its weapons; the nature of such representations made; and if he will make a statement on the matter. [26056/07]

The Taoiseach: I propose to take Questions Nos. 1 to 10, inclusive, together.

I led the Irish Government delegation to the British Irish Council summit on 16 July in Belfast. Prime Minister Brown led the British Government delegation. The BIC was chaired by First Minister Paisley and Deputy First Minister

McGuinness. The Northern Ireland Executive was also represented by a number of Ministers. We were also joined by representatives from the administrations of Scotland, Wales, Jersey, Guernsey and the Isle of Man.

This was a truly historic event. It was the first summit meeting of the council since the restoration of the Northern Ireland Assembly in May 2007 and the first summit to take place in Northern Ireland. It was also the first occasion on which the eight heads of administration had the opportunity to meet together since the recent elections in other member administrations.

At the meeting, the council discussed how the BIC might develop its work, now that all eight members are again represented by their respective administrations. We also discussed transport infrastructure links as well as other issues, including the misuse of drugs, the environment, e-health, tourism, the knowledge economy, indigenous, minority and lesser used languages, social inclusion and demography.

I led the Government delegation at the plenary meeting of the North-South Ministerial Council on 17 July in Armagh. This was the first meeting of the NSMC since its restoration to full operation following the recent historic agreement in Northern Ireland. The meeting was an important opportunity for me and my Government colleagues to discuss North-South co-operation with the First and Deputy First Minister and Ministers from the Northern Ireland Executive. A number of items were discussed, including cross-Border co-operation on roads, the proposed restoration of the Ulster Canal, the independent North-South consultative forum and the North-South parliamentary forum.

Other issues discussed included recent progress and future potential for North-South co-operation and the review of the North-South bodies and areas of co-operation. That review has commenced and is due to be completed in the spring. Since then, a number of NSMC meetings at sectoral level have also taken place.

The British-Irish Council meeting in Belfast provided an opportunity for my first formal meeting with British Prime Minister, Gordon Brown. During our meeting, we discussed the next phase of the process in Northern Ireland and the wider relationship between Ireland and Britain. We agreed to meet regularly and to further develop co-operation on economic and EU issues as well as review progress on the peace process in Northern Ireland. The relationship between Ireland and Britain is very strong and I look forward to maintaining and improving the partnership we have built in recent years. This meeting with Prime Minister Brown was my only official meeting on the margins of the BIC summit.

I met Deputy First Minister McGuinness on 23 July in Government Buildings.

At the NSMC meeting, it was noted that the Irish Government would consult the social partners on the North-South consultative forum and

[The Taoiseach.]

consultations will take place shortly. There were initial consultations with the social partners on the establishment of a North-South consultative forum at their steering group meeting on 9 October last. There will be further discussions with the social partners on this matter in the near future.

I visited Derry and Omagh on Friday 2 November. In the course of my address to the Derry Chamber of Commerce, I emphasised our commitment to pursuing practical cooperation with the Northern Ireland Executive through the North-South Ministerial Council, to the development of the north-west region through the north-west gateway initiative and to the development of the region's transport infrastructure through the budgetary allocations in the national development plan. I also met business and community leaders and we discussed a range of local issues.

Mayor Drew Thompson hosted a reception in the Guildhall, where I had the opportunity to acknowledge the work done by Derry's political leaders in advancing the cause of peace and in the establishment of the devolved institutions. I also visited the Tower Museum to view an exhibition on the history of Derry and I visited Foyle Hospice which serves the community on a cross-border basis.

On my visit to the Strule Arts Centre in Omagh, I commended the Council for its work in bringing such a landmark project to fruition. It is a project that will add greatly to the rich cultural heritage of the town.

I met the First Minister, Dr. Ian Paisley, in Government Buildings on Saturday 3 November. We discussed a wide range of issues, including shared heritage issues and current political and economic issues.

I met the Consultative Group on the Past, co-chaired by Lord Robin Eames and Denis Bradley, in Government Buildings on Monday, 5 November. While our focus must be on building a better future for everyone on this island, we also need to address the human legacy of the conflict. I fully support the work of the group. It has an important and difficult task and I wish it well in its work.

The question of the funding for the conflict transformation initiative in Northern Ireland is a matter for the Northern Ireland Executive. The Government's position was set out on 10 August when the Minister for Foreign Affairs issued a statement endorsing Minister Margaret Ritchie's robust statement that paramilitary violence and criminality has no place in a Northern Ireland that is fast moving beyond conflict.

I warmly welcome the statement by the UDA on Sunday last, in particular its acknowledgement that the conflict is over and its commitment to achieving a society where violence and weaponry belong to the past. The commitments to stand-down the UFF in its entirety and to put all weaponry beyond use are to be welcomed. The con-

demnation of crime and criminality is also important, including the recognition of the damage done to loyalist communities by those engaged in drug-dealing. The task now for the organisation is to deliver on these commitments in full, including through early engagement with the Independent International Commission on Decommissioning. This statement is significant and hopefully signals a further step towards the ending of all paramilitarism in Northern Ireland.

It is important that we remember at this time the victims and survivors of UDA violence, an organisation which carried out appalling atrocities during the conflict in Northern Ireland, just as we remember all those who suffered as a result of paramilitary violence from whatever source. It is my enduring hope that those days are gone and that the era of paramilitarism is now being left behind for ever. The Government has been clear that we want to see all communities benefit from the peace process. We will give our support to those in loyalism who are genuinely working to bring about positive change on behalf of their communities.

I welcome the report of the IMC which was published on 7 November and which deals with paramilitary activity. The Government notes with concern the IMC's comments about the continuing violence and criminality of dissident republican groups. I take the opportunity to condemn in the strongest possible terms the appalling attacks on members of the Police Service of Northern Ireland in recent days. The Garda Síochána, in co-operation with the Police Service of Northern Ireland, will continue to take any steps necessary to counter the threat posed by these anti-democratic organisations. There is no place for violence and criminality in the future of Northern Ireland.

Since May, we have seen a remarkable transformation in politics in Northern Ireland and on this island. All the democratic institutions are fully operational, the Northern Ireland Assembly and Executive, the North-South Ministerial Council and the British-Irish Council, as the people intended when they voted overwhelmingly for the Good Friday Agreement in 1998. Despite the occasional political tensions, which can occur in any democratic system, they are now working intensively for the benefit of all the people in a spirit of co-operation and based firmly on the principles of peace and democracy.

As I noted in my reply, I visited Omagh ten days ago. I express my sympathies again to the people of Omagh and in particular to those who were bereaved in the tragic fire of yesterday morning. It was a horrific event for the community, those close to the family and their friends. I wish to put on the record of the House the Government's condolences to and sympathy with the entire community in Omagh.

11 o'clock

Deputy Joan Burton: On behalf of the Labour Party, I join the Taoiseach in expressing our condolences to those families bereaved by the fire in Omagh, as well as to the town itself, which has suffered many different atrocities down the years.

I acknowledge the work of the Taoiseach and Tony Blair in respect of the time, effort and commitment they have given to ensure the successful restoration of the Executive and the Assembly. It is visible to all that the relationship between Sinn Féin and the DUP in the context of the Executive and the Assembly is working extremely well. However, is the Taoiseach concerned that to some extent, this has been at the expense of the SDLP and the UUP, which appear to be somewhat excluded? I also wish to raise the issue of the sole SDLP member of the Executive, namely, the Minister for Social Development, Margaret Ritchie, MLA. I refer to the decision she took to withhold funding under the conflict transformation initiative because of the failure of the UDA to deliver on promises on decommissioning. Does the Taoiseach agree she took the correct stance? I believe she did so.

The Taoiseach may have seen a report in the edition of *The Irish Times* published on 19 October in which the Minister, Ms Ritchie, claimed she had come under some pressure from the Department of Foreign Affairs to ameliorate her stance. What did this involve? Was it simply part of normal discussions or was she advised by the powers that be in the Department of Foreign Affairs to alter her stance? Circumstances have certainly shown that her position was correct. Now that a general standing down has taken place in respect of more of the loyalist paramilitary organisations, her stance has been vindicated. The Taoiseach should comment on this matter.

What is the Taoiseach's take on the present position in respect of the activities of the Real IRA and others who may have left IRA organisations? He is probably aware that a couple of shootings at policemen, as well as the horrific murder of Paul Quinn, have taken place in recent weeks. That particular murder involved a degree of violence that most people had hoped had passed. On Monday, Mr. John Grieve, who is a member of the International Monitoring Commission, suggested that he believed that those who were involved in the attack included people who were members, former members or those who have associations with members or former members of the Provisional IRA. Is this consistent with the intelligence that is available to the Taoiseach and the Government?

The Taoiseach: I thank the Deputy for her supportive remarks. I spoke to Margaret Ritchie last week. The Government, including the Minister for Foreign Affairs and me, has been supportive. While I did not issue a statement in the heat of the period, the Minister for Foreign Affairs, Deputy Dermot Ahern, did so. He issued a very

strong and forthright statement in support of her at a time when the issue was at its height a few months ago. Obviously, there is ongoing contact with officials, as we have a number of senior officials based in the North, and we have been supportive of her. I do not wish to get into what happened within the Executive. Obviously, some of her colleagues in the Executive took the issue to a vote. Peter Robinson said some very hard things to the effect that she was acting outside her remit, but I do not wish to interfere with that. The issue was dealt with.

Her stance was courageous and was in line with the stance taken for years by the Government in trying to reward those who are involved in trying to bring about peace while trying to be as firm as possible towards those who are not. Some individuals within the UDA and other loyalist groups have been trying very hard to co-operate, while others have not and have been associated with criminality. The Government has always taken the position to support those who have been trying to make progress and bring matters forward.

I have concerns in respect of the dissident groups. Colleagues and others will be aware that when I visited Derry two weeks ago, I made a statement to that effect. A variety of splinter groups are extant, none of which is up to any good and collectively they continue to cause a problem. The police officer who was shot on Thursday, thankfully, was lucky to survive an attack with a shotgun. An attack this week has left a police officer with serious injuries and I send our best wishes to him and his family. Two arrests have arisen from that case. There is dissident activity and while it may not be significant in numbers, enough Members will remember other times, North and South, that showed how small groups can make much trouble. While I do not wish to give respect to the organisation in question by recalling its name, Members will remember its activities here a long time ago. There is a hard core group that is out to create as much embarrassment, trouble, harassment and killing as possible, and the security forces must be extremely vigilant.

As for the murder of Paul Quinn, the intelligence in this regard is that it was not paramilitary but pertained to feuds about criminality that were taking place. However, it is important that the significant efforts that are being made, North and South, will result in arrests in this case. I spoke to the Garda Commissioner last night about this matter, as well as to Garda officers and the Minister for Justice, Equality and Law Reform. A dedicated effort is being made to achieve arrests in this case. I am strongly behind such an effort because, for obvious reasons, it is of major importance to the Government in this case to try to find the perpetrators of what was a horrendous and vile act. I only needed to read half the report on the incident. While there are many things I do not understand, I find it hard to understand how anyone living on this island or this planet could

[The Taoiseach.]

do such things. For that reason and many others, I would like to see them serve their due sentence.

Deputy Enda Kenny: I join the Taoiseach and Deputy Burton in expressing the sympathy of the House towards the families of those who lost their lives in the inferno in Omagh. I am sure the neighbours who heard the screams of those children will be haunted forever. It goes through you when you see the picture in today's newspaper.

The remarks by the Taoiseach shortly after the murder of Paul Quinn disassociated the provisional movement from that crime. Will the Taoiseach comment on the remark by a member of the IMC that this murder was committed by present or former members of the IRA or their associates? Will he comment on the fact that those who committed that murder were dressed in boiler suits and surgical gloves, which was the trademark of IRA punishment squads?

In respect of the shooting of a PSNI officer in Dungannon, does the Taoiseach feel there is a movement to return to this sort of activity among dissident republicans? Does he have any information to that effect? For everybody's sake, we do not want a drift back towards such actions on any side. I support the remarks of Deputy Burton about Margaret Ritchie. Her decision was the correct one and it took courage to carry out. I am glad the Taoiseach has reiterated that in the Government's view, this was the right thing to do.

The Taoiseach: I can only convey to Deputy Kenny the information I have been given and continue to be given by the Garda and the PSNI. The Garda has advised that there is no information available to suggest that the attack was authorised or carried out by or on behalf of any paramilitary grouping. That is also, I understand, the position of the Chief Constable of the PSNI. I cannot say what some of these people might have been involved or associated with in the past. I have read reports of this, but I can only deal with the present situation.

The IMC has not reported formally on the murder of Paul Quinn. It has a process for doing that. It is open to it to set out its assessment of the matter in light of the information available in its next formal report to the Government. I am aware of the comments made at a press conference yesterday to the effect that the people who carried out this terrible act, whatever their past history, must be found and charged in accordance with the rule of law. That is what all decent people want to see. There is a dedicated and focused effort being made by the Garda, in conjunction with the PSNI, to ensure that this is done. The Garda has gone beyond the call of duty on this case as its detective units are operating very intensely in the Border areas, which I support.

I cannot tell Deputy Kenny any more than that I am concerned about three dissident groups cur-

rently operating in Northern Ireland on what would be considered to be the republican side, if we can give it that name, which I do not particularly want to. There is the Continuity IRA, the Real IRA and a new grouping that calls itself Óglaigh na hÉireann. All three of these have the capacity to cause trouble and two of them are certainly involved in the present troubles. They are small groups which do not contain any prominent people from the past but consist of a younger generation.

Deputy Enda Kenny: On a different matter, comments have been made by members of the UUP and the SDLP that they do not see the inclusive Executive as being politically sustainable. Does the Taoiseach have a view on that? Does the Government feel that if there is an inability to make decisions within the Executive and the Assembly, voluntary coalitions may be formed as time goes by? Does the Taoiseach have any indication of the relevance of this to the continuation of the Assembly?

While this is a matter strictly for Fianna Fáil and the SDLP as parties, I note that the Minister for Foreign Affairs seems to be heading up a sort of charge on behalf of the party up there with regard to organising for elections and so on. In view of the much more serious requirement to implement the Good Friday Agreement in full, the Taoiseach's view should be that the Government must direct all its energies towards full and successful completion of the Agreement. Next year will mark the tenth anniversary of the Agreement and it may be in the Taoiseach's mind to have an anniversary celebration for a successful Agreement in the hope that progress will continue to be made towards implementing it in full.

The Taoiseach: Deputy Kenny asked about the SDLP, the UUP and the Northern Ireland Executive. In only six months extraordinary progress has been made. In recent weeks the first budget was completed, setting out a financial framework for next year and for the future. The programme for Government has also been completed. I met Ms Richie this day last week when she was here for a meeting with colleagues. We have had several meetings with different members of the Executive and British MPs. From what we can see, they are working extremely well together. It is a great achievement. I should have acknowledged in my reply their success in putting together a programme for Government and setting out their budget.

Members of the Assembly are also intensely involved in discussions in Europe. The President of the European Commission, Mr. Barroso, met some members and was impressed with their collective efforts to move issues forward. They have been involved in discussions with the Treasury and here with the Tánaiste on the north-west gateway initiative and other programmes. Next month they will make an important visit to the

United States. Again, this will be a collective visit. The image of members of all parties — including the First Minister, who is a member of the DUP, the Deputy First Minister, Martin McGuinness, and members of the UUP and SDLP — working together inspires huge confidence. It is also helpful in terms of business and tourism. The Minister for Arts, Sport and Tourism, Deputy Brennan, had a meeting with his Northern Ireland counterpart the other day to discuss tourism plans for the next few years. Overall, they are working well together.

Deputy Caoimhghín Ó Caoláin: I join colleagues in expressing sympathy to both the McElhill and McGovern families on the tragic loss of the parents and children in the terrible fire in the town of Omagh yesterday morning.

On what can only be described as the brutal and savage murder of Paul Quinn in my constituency, I once again condemn this murder in the strongest possible terms. I do so again here today, and in conjunction with my colleagues' voices in Sinn Féin I once again call on people to provide any information they may have on this savage attack to either the Garda or the PSNI. I join with the Taoiseach in expressing the hope that those responsible will be brought to justice at the earliest opportunity.

I acknowledge that the following does not apply to any of those who have questioned this matter here this morning, but there are others who have used this terrible event in order to undermine the political project on which we all have embarked in creating a new dispensation across this island and there are also those who would seek to demonise the entire republican community of south Armagh. I reject both of those intents and the people responsible for them.

The remarks of the IMC member yesterday are a statement and equate with speculation. Within the remarks made, there was not one verified fact. If the person responsible for those remarks has specific information, it is important that he present that information to either the Garda or the PSNI.

An Ceann Comhairle: I must remind Deputy Ó Caoláin that this is Question Time.

Deputy Caoimhghín Ó Caoláin: I appreciate that.

An Ceann Comhairle: Question Time does not involve imparting information. It involves seeking information. I really must remind Deputy Ó Caoláin of that.

Deputy Caoimhghín Ó Caoláin: I accept that. Nevertheless, it was important to put those remarks on the record.

In the programme for Government under the "Peace and Unity" heading, the Government

commits itself to the development of cross-Border projects. Included among these are the Monaghan-Derry dual-carriageway link along the N2-A5, the Ulster Canal and the bridge at Narrow Water. Progress has been made on each of these projects. I request that the Taoiseach share with us here this morning the progress made to date and his expectations of each of these moving towards specific work on the ground.

Can he elaborate on the commitments to complete — I use the word "complete" quite purposely because I acknowledge that some progress has been made in the telecommunications sector — the removal of North-South telecommunications charges and bank charges? Each of these are commitments within the programme for Government. What has been done to remove these charges across the board? Can the Taoiseach advise the House on the responses the Government has received through its various approaches to both the telecommunications companies and the banking institutions, North and South?

The Taoiseach: On the North-South elements of the national development plan, our new plan covers the period to 2013. It sets out a comprehensive overview of the all-island co-operation and the proposals for enhancing co-operation in a range of areas — transport, education, research and development and health. These include joint investment in strategic projects that will be of mutual benefit to both jurisdictions and a more effective use of the existing funding on an all-island basis. It is also a good timely development for us in North-South co-operation and there has been a comprehensive overview of that co-operation.

On the projects about which Deputy Ó Caoláin asked, the NDP identified key areas for joint investment initiatives. Included in this is a new strategic projects proposal to complete a high quality road network on the inter-urban routes linking the major population centres of Dublin, Belfast and the north-west, with particular development of the dual-carriageway standard road to Derry and Donegal, and remove the single largest impediment to the future development of the Border counties. Both organisations, the NRA and its northern counterpart, and the Departments are working on that. When I visited Derry and Omagh I met some of the relevant people to try to move it on. We are anxious to make as much progress as possible as quickly as possible in the same way as we deal with a project here. We have put together all our expertise and all our departmental officials to make that progress, particularly on the road project.

We have committed to examining the restoration of the Ulster Canal as a joint project with Northern Ireland. This was considered at the meeting in July and it was agreed that the section of the Ulster Canal between Clones and Lough Erne would be restored. The Minister for Com-

[The Taoiseach.]

munity, Rural and Gaeltacht Affairs, Deputy Ó Cuív, who has been taking the lead on that project, has had a number of meetings since September on it.

Now that the Northern Ireland Executive is up and running, it will benefit from the improved financial package that was announced in April last by the then Chancellor of the Exchequer, Gordon Brown. The package consisted of €35 million for the Executive over the next four years and support of €18 billion in capital investment for the period until 2017. That package also includes €1 billion, of which €400 million comes from ourselves, to improve infrastructure and for the projects. In all the technical preparation and administration work, all our people have been advised, on a North-South basis and in the Ministerial Councils, to take the action necessary to move them forward as quickly as possible.

Deputy Caoimhghín Ó Caoláin: The Taoiseach will recall—

An Ceann Comhairle: I must move on to Deputy Quinn.

Deputy Caoimhghín Ó Caoláin: May I ask a brief supplementary?

An Ceann Comhairle: The Deputy has had a good innings.

Deputy Caoimhghín Ó Caoláin: I did not get a second opportunity. It is a brief point.

An Ceann Comhairle: There are only 11 minutes left.

Deputy Caoimhghín Ó Caoláin: All I ask is to be given the same opportunities as other speakers.

An Ceann Comhairle: The Deputy has had more than that.

Deputy Caoimhghín Ó Caoláin: The Taoiseach will recall that one of the key outcomes of the St. Andrews talks was the commitment to ensure the language rights of Irish speakers within the Six Counties area. The Irish language Bill for the Six Counties has been blocked in the Assembly. Does the Taoiseach agree that, nevertheless, this remains an important commitment arising out of the St. Andrews engagement? In the light of the obstacles that have been placed in the path of the passage of this legislation which requires the Taoiseach raising this matter with the British Prime Minister, has he done so, will he do so and what further help can he be in ensuring that the rights of Irish speakers and those who wish to use our first language in the northern part of our island are confirmed in legislation and respected across the board?

The Taoiseach: I agree. Already, there has been a number of meetings on this issue and the Minister, Deputy Ó Cuív, has made a number of statements on it. The Government's position, which we have maintained throughout the talks process, is that parity of esteem is essential and all of these cultural, heritage and equality issues are of fundamental importance. We have never changed that position throughout the entire talks process, from the multi-party talks right through the Good Friday Agreement and since then, and we will continue to advocate that.

I spoke to the Minister for Culture, Arts and Leisure, Edwin Poots, MLA. On a number of occasions we have said that this is an issue on which we want to see progress. I note the difficulties that have arisen over the past month or six weeks, but our position remains that this is an essentially important issue and should be dealt with.

Deputy Ruairí Quinn: On respect for the various institutions that have grown out of the Good Friday Agreement which, in turn, grew out of the Sunningdale Agreement 23 years ago, would the Taoiseach share my view that in order for these institutions to consolidate, take root and win affection and support from all sides on this island, and, indeed, the neighbouring island, we need to respect how they function and give them time and space to breathe?

In that respect, can he reassure the House that the Minister for Social Development, Margaret Richie, MLA, did not come under pressure from Iveagh House in the run up to the decision that she courageously took? I ask this because at the SDLP conference a few weekends ago, which was attended by Deputies Crawford and Mansergh, there was a certain sense among many of the SDLP delegates that the level of support she felt she could expect was not evident and the level of pressure brought to bear upon her, through the diplomatic channels of Iveagh House and elsewhere, was less than helpful? All of us now would recognise that the principled stand that she took has, indeed, borne fruit in terms of the UDA announcement, which is welcome.

Notwithstanding the statements by the Provisional IRA and the Sinn Féin leadership in regard to the murder of my namesake, Paul Quinn, his father is reported in today's newspapers as stating that the leadership of Sinn Féin is aware of the identity of some of the perpetrators. I welcome what Deputy Ó Caoláin said in this House, but similar things were said in regard to the murder of Robert McCartney, and similar exhortations were made to the public by the leadership of Sinn Féin yet, effectively, co-operation has not been delivered on the ground. That was the tenor of the reported remarks of Paul Quinn's father in today's newspapers.

Does the Taoiseach have a view on consolidating the institutions in Northern Ireland so that the larger community there can give full support

to it and does not feel in any way threatened, as it has done in the past? Likewise, if renegade former republicans who are known to their colleagues in Sinn Féin are now engaging in the kind of brutal criminality and murder we have seen, what comment does the Taoiseach have to make in order to ensure those unrepresentative and now criminal groups are exposed to the full rigour of citizen scrutiny and reports to both the Garda and the PSNI?

The Taoiseach: To return to the issue of Minister Margaret Ritchie and the suggestion that there was some pressure from her, I cannot account for every conversation that took place with officials, but it did create some heated debates within the Assembly. Minister Robinson responded to the effect that the decision was in breach of the ministerial code and that Minister Ritchie did not have the legal authority to carry it out. Deputy Quinn is aware the Executive met on Thursday, 18 October and there were disputes and misunderstandings about what had been agreed at the earlier Executive meeting. Minister Ritchie was supported by UUP Ministers and opposed by the others.

It has been reported Minister Ritchie came under pressure to change her stance from the Minister for Foreign Affairs. Whatever discussions he had with her and others, in the heat of it the Minister, Deputy Dermot Ahern, defended and praised her. When I spoke to her I commended her for her actions. We have always taken a view on loyalists. Certainly for the past ten years we have helped them. We have even given funds to some of the organisations to help them to rehabilitate themselves and to move forward. The stance the Minister took was in line with the stance I have taken on these issues for a decade or more. That has been our position. It did create a fair bit of rumblings and difficulties within the Executive and obviously that is a matter for it.

I do not have much to add to what I previously said about Paul Quinn. We have received a number of reports from the Garda and second-hand from the PSNI, and both of them match at this stage, that this action was due to criminality. I accept issues arise about where these people came from in the past, what they did previously and the fact that the format of the killing had a resemblance to what happened in the past. That has been in every newspaper in Northern Ireland in recent weeks. Our intelligence and information is that this was not the work of the provisional republican movement and that it was not sanctioned or condoned by it or by the Sinn Féin leadership.

The Garda is making an intense effort on this matter in terms of questioning and it is going beyond what it would normally do in how it is operating on this particular event. That is known by the community in Northern Ireland as well as in southern Ireland along the Border. It is important because if these things are not resolved they continue to grow legs. I appreciate that point

and that people can believe it is something else. It is in the interests of everybody that these people are brought to justice. Names have been mentioned about groups and what business and aspects of criminality they are into, but quite frankly I can only work on the basis of the information I have, all of which is in the public domain. The Garda is aware of that information and what others have said in other legislatures and it is doing its best to bring this case to a successful prosecution.

An Ceann Comhairle: A number of Deputies are offering but, unfortunately, the time has expired and I have to move on. My apologies to all of them.

Request to move Adjournment of Dáil under Standing Order 32.

An Ceann Comhairle: Before coming to the Order of Business I propose to deal with a number of notices under Standing Order 32. I will call on Deputies in the order in which they submitted their notices to my offices. I call Deputy Bannon.

Deputy Joe McHugh: Can I make a point of order?

An Ceann Comhairle: No, unfortunately, we have moved on.

Deputy Joe McHugh: This issue is of national importance and I would appreciate it if there were a way of extending this debate to a later stage—

An Ceann Comhairle: We have moved on.

Deputy Joe McHugh: —to discuss cross-Border security.

An Ceann Comhairle: Questions can be tabled to the Taoiseach.

Deputy Joe McHugh: This issue affects many people.

An Ceann Comhairle: The Deputy is perfectly entitled to table questions to the Taoiseach on the matter. I call Deputy Morgan.

Deputy Arthur Morgan: I seek the adjournment of the Dáil under Standing Order 32 to discuss the following matter of urgent national importance, namely, that all oncology services in the north east, and at Our Lady of Lourdes Hospital in Drogheda in particular, remain in place until centres of excellence are fully functioning so that the 1,000 patients attending Our Lady of Lourdes Hospital weekly can avail of a reasonable level of service rather than having patients who are very ill, and in many cases dying, being forced into already overcrowded wards in Beaumont and the Mater hospitals in Dublin. I

[Deputy Arthur Morgan.]

hope the Ceann Comhairle will allow a debate on this important issue.

An Ceann Comhairle: Having considered the matter raised, it is not in order under Standing Order 32. I call on the Taoiseach to announce the Order of Business.

Order of Business.

The Taoiseach: It is proposed to take No. 10a, motion re ministerial rota for parliamentary questions; No. 11, motion re orders of reference of committee; No. 11a, motion re establishment of Joint Committee on Climate Change and Energy Security; No. 11b, motion re establishment of Joint Administration Committee; No. 11c, motion re appointment of members to committees; No. 11d, motion re referral to joint committee of proposed approval by Dáil Éireann of the Regional Fisheries Boards (Postponement of Elections) and Fisheries (Miscellaneous Commercial Licences) (Alteration of Duties) Orders 2007; No. 2, Local Government (Roads Functions) Bill 2007 — Second and Remaining Stages (resumed); and No.17, statements on Transport 21.

It is proposed, notwithstanding anything in Standing Orders, that (1) Nos. 10a, 11, 11a, 11b, 11c and 11d shall be decided without debate; (2) the resumed Second Stage and Remaining Stages of No. 2 shall be taken today and the following arrangements shall apply: the proceedings on the resumed Second Stage shall, if not previously concluded, be brought to a conclusion at 4.30 p.m.; the proceedings on the Committee and Remaining Stages shall, if not previously concluded, be brought to a conclusion at 6 p.m. by one question which shall be put from the Chair and which shall, in regard to amendments, include only those set down or accepted by the Minister for the Environment, Heritage and Local Government; (3) the following arrangements shall apply in regard to No. 17: (i) the statements of a Minister or Minister of State and of the main spokespersons for the Fine Gael Party, the Labour Party and Sinn Féin, who shall be called upon in that order, shall not exceed 15 minutes in each case; the statements of each other Member called upon shall not exceed ten minutes in each case; Members may share time; a Minister or Minister of State shall be called upon to make a statement in reply which shall not exceed ten minutes; and (4) Private Members' business shall be No. 27, motion re proposed child care subvention scheme (resumed) to conclude at 8.30 p.m.

An Ceann Comhairle: There are three proposals to put to the House. Is the proposal for dealing with Nos. 10a, 11, 11a, 11b, 11c and 11d, motions re ministerial rota for parliamentary questions, orders of reference of committee, establishment of Joint Committee on Climate Change and Energy Security, establishment of Joint Administration Committee, appointment of Members to committee and referral to joint com-

mittee of proposed approval by Dáil Éireann of fisheries orders, without debate, agreed to?

Deputy Liz McManus: No, a Cheann Comhairle. I object to the taking of 11d, without debate. This relates to fisheries orders, in particular the postponement yet again of elections to the regional fisheries boards. With your indulgence, I wish to make a point. In 2005 the then Minister of State with responsibility for fisheries, Deputy Gallagher, announced he intended to postpone the elections of members to the fisheries boards. In December 2006 the Government announced it would postpone yet again the elections of members to the regional fisheries boards.

It is interesting to note that when this matter was debated by the committee on 13 December 2006 Deputy Eamon Ryan, who was the Green Party spokesperson at the time, described the second postponement as a shocking indictment of the Government's inability to prioritise the environment and wild fish stocks. He actually called it a cowardly act. We are now being asked by Deputy Eamon Ryan, who is now the Minister responsible, to postpone yet again democratic elections to regional fisheries boards. What are we to think about that? Is this an even more shocking indictment of the Government? Is it an even more cowardly act by the new Minister that for the third time we are being asked to postpone democratic elections that should have been held three years ago and will be delayed for another year?

It is important that we debate this issue. It is not good enough, when we consider that wild fish stocks are at risk, that the Government, which pretends to prioritise the environment, is acting in a worse fashion than the previous Government. I believe we should prioritise the environment but it is clear that we cannot depend on the Green Party to prioritise the environment in Government. I feel strongly about this issue. It is an issue of democracy and environmental conservation. I ask that we have a debate on that issue in this Chamber so that we do not participate in what is a charade in terms of ensuring that we deal with issues here and not somewhere down in the bowels of this House in committee.

The Taoiseach: Perhaps the Deputy does not understand the proposal. The proposal is that it will go to committee and come back here on 5 December. That is precisely what will happen.

Deputy Liz McManus: That is my problem.

An Ceann Comhairle: I am sorry. There can only be one intervention.

Deputy Liz McManus: Can I ask—

An Ceann Comhairle: No, I am sorry. I must abide by Standing Orders.

Deputy Liz McManus: On a point of order, a Cheann Comhairle.

An Ceann Comhairle: There can be only one intervention. That intervention has occurred. The Taoiseach has replied and I will now put the question unless the proposal is agreed.

Deputy Liz McManus: I am entitled to make a point of order, a Cheann Comhairle.

An Ceann Comhairle: If it is a point of order.

Deputy Liz McManus: It is a point of order. The Taoiseach stated it will go to the committee and then come back to this House. Does he

intend to ensure there is a debate in this House or not?

An Ceann Comhairle: That is not a point of order.

Deputy Liz McManus: It is a point of order.

An Ceann Comhairle: Is the proposal agreed?

Deputy Emmet Stagg: It is not agreed.

Question put: "That the proposal for dealing with Nos. 10a, 11, 11a, 11b, 11c and 11d without debate be agreed to."

The Dáil divided: Tá, 73; Níl, 63.

Tá

Ahern, Bertie.
Ahern, Michael.
Andrews, Barry.
Ardagh, Seán.
Aylward, Bobby.
Behan, Joe.
Blaney, Niall.
Brady, Áine.
Brady, Cyprian.
Brady, Johnny.
Browne, John.
Byrne, Thomas.
Calleary, Dara.
Carey, Pat.
Conlon, Margaret.
Connick, Seán.
Coughlan, Mary.
Cowen, Brian.
Cregan, John.
Cuffe, Ciarán.
Cullen, Martin.
Curran, John.
Dempsey, Noel.
Devins, Jimmy.
Dooley, Timmy.
Fahey, Frank.
Fitzpatrick, Michael.
Fleming, Seán.
Flynn, Beverley.
Gallagher, Pat The Cope.
Gogarty, Paul.
Gormley, John.
Grealish, Noel.
Harney, Mary.
Haughey, Seán.
Healy-Rae, Jackie.
Hoctor, Máire.

Kelleher, Billy.
Kelly, Peter.
Kenneally, Brendan.
Kennedy, Michael.
Killeen, Tony.
Kirk, Seamus.
Kitt, Tom.
Lenihan, Brian.
Mansergh, Martin.
McDaid, James.
McEllistrim, Thomas.
McGrath, Finian.
McGrath, Mattie.
McGrath, Michael.
McGuinness, John.
Moynihan, Michael.
Ó Cuív, Éamon.
Ó Feargháil, Seán.
O'Brien, Darragh.
O'Connor, Charlie.
O'Dea, Willie.
O'Flynn, Noel.
O'Hanlon, Rory.
O'Keeffe, Batt.
O'Keeffe, Edward.
O'Rourke, Mary.
O'Sullivan, Christy.
Power, Peter.
Power, Seán.
Ryan, Eamon.
Scanlon, Eamon.
Smith, Brendan.
Treacy, Noel.
Wallace, Mary.
White, Mary Alexandra.
Woods, Michael.

Níl

Allen, Bernard.
Bannon, James.
Breen, Pat.
Broughan, Thomas P.
Bruton, Richard.
Burke, Ulick.
Burton, Joan.
Byrne, Catherine.
Carey, Joe.
Clune, Deirdre.
Coonan, Noel J.
Coveney, Simon.
Crawford, Seymour.
Creed, Michael.
Creighton, Lucinda.
D'Arcy, Michael.
Deenihan, Jimmy.

Doyle, Andrew.
Durkan, Bernard J.
English, Damien.
Enright, Olwyn.
Feighan, Frank.
Ferris, Martin.
Flanagan, Charles.
Flanagan, Terence.
Hayes, Brian.
Hayes, Tom.
Higgins, Michael D.
Hogan, Phil.
Howlin, Brendan.
Kehoe, Paul.
Kenny, Enda.
Lynch, Ciarán.
Lynch, Kathleen.

Níl—*continued*

McCormack, Pádraic.
McGinley, Dinny.
McHugh, Joe.
McManus, Liz.
Mitchell, Olivia.
Morgan, Arthur.
Naughten, Denis.
Ó Caoláin, Caoimhghín.
O'Dowd, Fergus.
O'Keefe, Jim.
O'Mahony, John.
O'Shea, Brian.
O'Sullivan, Jan.
Penrose, Willie.
Perry, John.

Quinn, Ruairí.
Rabbitte, Pat.
Reilly, James.
Ring, Michael.
Shatter, Alan.
Sheahan, Tom.
Sheehan, P.J.
Sherlock, Seán.
Shortall, Róisín.
Stagg, Emmet.
Stanton, David.
Tuffy, Joanna.
Upton, Mary.
Wall, Jack.

Tellers: Tá, Deputies Tom Kitt and John Curran; Níl, Deputies Paul Kehoe and Emmet Stagg.

Question declared carried.

An Ceann Comhairle: Is the proposal for dealing with No. 2, Second and Remaining Stages of the Local Government (Roads Functions) Bill 2007, agreed?

Deputy Paul Kehoe: This is another guillotine in this Dáil's early days. At last week's meeting of the Whips, we indicated to the Government that we would not accept it.

Deputy Emmet Stagg: Guillotines at this stage of the Dáil's life are unusual. They deny the House the opportunity to debate issues fully. There have been 691 guillotines in the history of the House, 307 of which were during the previous Government's lifetime. It is not a fact that guillotines are routine. Their use by this Administration is excessive, accounting for 44% of all guillotines since 1921. We object to what has become the Government's habit of ignoring the House.

Deputy Mary O'Rourke: Off with his head.

(Interruptions).

An Ceann Comhairle: Deputy Ó Caoláin without interruption.

Deputy Caoimhghín Ó Caoláin: Regarding the Local Government (Roads Functions) Bill 2007, it has become the pattern during the closing days of any session for the Government to force through legislation with a guillotine attachment. It is objectionable at any time, but to see it imposed mid term is outrageous. I am not sure as to whether there is a precedent.

Members are entitled to the opportunity to participate fully in important legislation that reflects on local government and that is being watched carefully by our elected colleagues throughout the State. It is imperative that we do our business properly. The guillotine is unacceptable.

The Taoiseach: I agree with Deputy Stagg. We go to great lengths to avoid as many guillotines as we possibly can, but I cannot understand what we would discuss about this Bill until 6 o'clock.

Deputy Tom Kitt: Hear, hear.

The Taoiseach: It relates to the transfer of responsibility for non-national roads and the national vehicle driver file to the Department of Transport. The only reason——

Deputy Tom Hayes: The Minister, Deputy Dempsey, will make a mess of it. That is the reason.

An Ceann Comhairle: The Deputy is not in order. The Taoiseach without interruption.

Deputy Brian Cowen: The Taoiseach is on his feet. Deputies should have a bit of respect. It is the same racket from over there all of the time.

Deputy Enda Kenny: The Tánaiste is barking away all of the time.

The Taoiseach: The reason is that advice from the Attorney General's office on the transfer indicated that this provision would normally be done by an order. It would not usually come before the House. However, due to recent cases, the Attorney General has stated that certain provisions relevant to the transfer of functions cannot be included in a transfer order and that we need primary legislation. We will debate until 6 o'clock why something will now be done by statutory Act rather than by an order. The suggestion we would need so much time is ridiculous.

An Ceann Comhairle: Is the proposal agreed?

Deputy Emmet Stagg: No.

An Ceann Comhairle: I must put the question.

Question put: "That the proposal for dealing with No. 2 be agreed to."

The Dáil divided: Tá, 73; Níl, 61.

Tá

Ahern, Bertie.
 Ahern, Michael.
 Andrews, Barry.
 Ardagh, Seán.
 Aylward, Bobby.
 Behan, Joe.
 Blaney, Niall.
 Brady, Áine.
 Brady, Cyprian.
 Brady, Johnny.
 Browne, John.
 Byrne, Thomas.
 Calleary, Dara.
 Carey, Pat.
 Conlon, Margaret.
 Connick, Seán.
 Coughlan, Mary.
 Cowen, Brian.
 Cregan, John.
 Cuffe, Ciarán.
 Cullen, Martin.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Fahey, Frank.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gallagher, Pat The Cope.
 Gogarty, Paul.
 Gormley, John.
 Grealish, Noel.
 Harney, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Hoctor, Máire.

Kelleher, Billy.
 Kelly, Peter.
 Kenneally, Brendan.
 Kennedy, Michael.
 Killeen, Tony.
 Kirk, Seamus.
 Kitt, Tom.
 Lenihan, Brian.
 Mansergh, Martin.
 McDaid, James.
 McEllistram, Thomas.
 McGrath, Finian.
 McGrath, Mattie.
 McGrath, Michael.
 McGuinness, John.
 Moynihan, Michael.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keefe, Batt.
 O'Keefe, Edward.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Peter.
 Power, Seán.
 Ryan, Eamon.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

Allen, Bernard.
 Bannon, James.
 Breen, Pat.
 Broughan, Thomas P.
 Burke, Ulick.
 Burton, Joan.
 Byrne, Catherine.
 Carey, Joe.
 Clune, Deirdre.
 Coonan, Noel J.
 Coveney, Simon.
 Crawford, Seymour.
 Creed, Michael.
 Creighton, Lucinda.
 D'Arcy, Michael.
 Deenihan, Jimmy.
 Doyle, Andrew.
 Durkan, Bernard J.
 English, Damien.
 Enright, Olwyn.
 Feighan, Frank.
 Ferris, Martin.
 Flanagan, Charles.
 Flanagan, Terence.
 Hayes, Brian.
 Hayes, Tom.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.

Lynch, Ciarán.
 Lynch, Kathleen.
 McCormack, Pádraic.
 McHugh, Joe.
 McManus, Liz.
 Mitchell, Olivia.
 Morgan, Arthur.
 Naughten, Denis.
 Ó Caoláin, Caoimhghín.
 O'Dowd, Fergus.
 O'Keefe, Jim.
 O'Mahony, John.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Penrose, Willie.
 Perry, John.
 Quinn, Ruairí.
 Rabbitte, Pat.
 Reilly, James.
 Ring, Michael.
 Shatter, Alan.
 Sheahan, Tom.
 Sheehan, P. J.
 Sherlock, Seán.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Tuffy, Joanna.
 Upton, Mary.
 Wall, Jack.

Tellers: Tá, Deputies Tom Kitt and John Curran; Níl, Deputies Paul Kehoe and Emmet Stagg.

Question declared carried.

Deputy Enda Kenny: I wish to raise a matter mentioned in this House several times by Deputy Naughten to do with a report produced in 2001 by the Oireachtas Joint Committee on Health and Children chaired by Deputy Jim O’Keeffe. Deputy Jim O’Keeffe in his report requested that the issues raised in the report be debated in both Houses of the Oireachtas. The report was on the compensation for victims of vaccine damage in the national vaccination programme. Deputy Naughten has raised this several times, but it has not been debated in this House. Victims of vaccination have no bereavement entitlement because they were not in a position to work and therefore had made no PRSI contributions. Could the Taoiseach deal with that, even if he does not have the information now?

In respect of the George Mitchell Scholarship Fund Act 1998 (Amendment) Bill, I note that it is intended to bring in legislation next year to facilitate an increase in Ireland’s contribution to the fund over the next five years. While I support that, why is it necessary to introduce legislation to increase the State’s contribution when it already contributes? It might be possible to do this by ministerial order and a debate on that.

The Taoiseach: I will have the first matter investigated and see what was agreed in the report. The George Mitchell Scholarship Fund Act 1998 (Amendment) Bill is to increase the contribution. It has been judged necessary to have primary legislation. In many such issues, like the item we just voted on, because of recent court cases the legal position is that we need primary legislation. The old system whereby we would just have an order is no longer sufficient. We will have a great deal of minor legislation in coming years and if we debate each one we will never get anywhere. We will have a great deal of primary legislation to allow us to perform the function of an order. The order system is no longer considered appropriate by the courts. If there is any deviation we need primary legislation, which makes the system more bureaucratic, lengthy, costly—

Deputy Denis Naughten: It makes it more accountable.

The Taoiseach: I do not agree, but I am not the courts.

Deputy Denis Naughten: The system does not work. We are not allowed to raise issues with regard to it.

The Taoiseach: I do not see that an order listed here for 21 days is any better than having primary legislation which takes time and is far more costly.

Deputy Denis Naughten: At least one could debate it.

Deputy Joan Burton: During the last Government the Taoiseach professed himself many times to be committed to regulating and legislating for management companies and agents of apartment blocks and housing developments. We are in a declining property market where many new housing developments and apartment blocks in west Dublin are subject to management companies. Despite the issue being debated here several times we are no closer to regulating management companies. Many young home owners pay up to €2,500 per year to management companies that give bad service. They charge high rates and do little. The Taoiseach has said this area should be regulated. It is one more constraint on a declining property market.

An Ceann Comhairle: The Deputy must pose a question on legislation.

Deputy Joan Burton: We have a promise from the Taoiseach.

An Ceann Comhairle: I will have to impose Standing Orders.

Deputy Joan Burton: The property services regulatory authority legislation is on the list of Bills, but we are getting nowhere with it. What is the Taoiseach’s view at this stage? When is his Government going to address this issue? There is no regulation and young people buying homes are at the mercy of rogue developers who will not put management companies on a proper footing.

The Taoiseach: The Law Reform Commission published a consultation paper on multi-unit developments last December and it drew attention to a broad range of issues relating to the governance and operation of such developments. The issues include the manner in which company law currently applies to property management companies. That paper was very comprehensive and it makes it clear that the action to address these problems will be required across several policy fields. We originally thought we could do it simply through one Act, but that is not the case. The report stated that it would affect company law, consumer protection law and the development of regulatory structures.

Due to the cross-cutting nature of many of the issues identified in the report, I asked that a high level interdepartmental committee be established to assist in the development of a coherent and comprehensive response to the problems. A key task of that committee is to identify the legislative and administrative actions to be taken in response to the definitive recommendations for legislative reforms, and to determine the time-frame for that.

I am asked this question almost every week. I expect that report will be published by the end of the year, and I will then be able to say something else on it.

Deputy Joan Burton: Does that mean that the property services regulatory authority Bill is effectively on ice until this committee has reported? People are being left in limbo regarding property management companies. In a declining property market, we could do without people's title to their homes being questioned due to the management company relationship to the ownership of common land in the vicinity of the property. It is a difficult legal issue.

The Taoiseach: The property services regulatory authority Bill was to provide for the establishment of a property services regulatory authority to give effect to the report of the auctioneering estate agency review group. I have tried to go far further than that and see if we can deal with property management companies in a comprehensive way.

Deputy Thomas P. Broughan: When?

The Taoiseach: I have just answered that. Did the Deputy hear what I said?

Deputy Thomas P. Broughan: The Taoiseach will be out of office.

Deputy Ruairí Quinn: I hesitate to ask the Taoiseach a question because I know he is annoyed at being held to account in this place, but if he is not busy, perhaps he might—

The Taoiseach: On a point of order, I have given a comprehensive answer to the Deputy's acting leader. I am not entitled to do that under Standing Orders, but I asked the Ceann Comhairle if I could do so. I am only meant to answer questions on legislation during the Order of Business. I was trying to be helpful to Deputy Burton, but having given a comprehensive answer, a Labour Party Deputy ignored what I just said. That is what is irritating.

Deputy Thomas P. Broughan: People are fed up waiting. It has been going on for years.

Deputy Ruairí Quinn: The student support Bill was promised for this session. Students are ten weeks into term, but many of them have yet to get their grants and are on loans. When will this Bill be published?

The Taoiseach: I understand it will be published shortly, during this session.

Deputy Caoimhghín Ó Caoláin: The current critical crisis in cancer care, especially in mammography, has highlighted once again the inadequate powers of the Health Information and

Quality Authority. It has been acknowledged on all sides of the House that the failure to include the private hospital providers within the powers of HIQA is a fundamental weakness—

An Ceann Comhairle: What is the Deputy's question on legislation?

Deputy Caoimhghín Ó Caoláin: The question is about the deficiencies in the legislation on HIQA itself—

An Ceann Comhairle: To what promised legislation is the Deputy referring?

Deputy Caoimhghín Ó Caoláin: I am referring to legislation that will ensure that HIQA has the required powers to carry out its remit efficiently and effectively across the board, in both the public and private sectors.

The Taoiseach: It has already been enacted.

Deputy Caoimhghín Ó Caoláin: No it has not. There are deficiencies. Surely—

An Ceann Comhairle: The legislation has already been enacted. The Deputy's question is for Question Time and is not in order.

Deputy Caoimhghín Ó Caoláin: That attitude achieves absolutely nothing.

Deputy Bernard J. Durkan: Sometime before the last election, the postal services miscellaneous provisions Bill was promised in this House. The European courts made a decision in the last few days which now affects positively the future of An Post and the postal services. Is it the Taoiseach's intention to restore that Bill to the Order Paper? The way has now been cleared for it. We need to ensure that the haphazard closure of post offices and sub-post offices throughout the country does not continue.

The Taoiseach: The Deputy is correct. That Bill was in the Dáil, but it was dropped when the idea of an ESOP for An Post was dropped.

Deputy Bernard J. Durkan: Has he anything more to add?

Deputy Michael Ring: There was a joint motion in the Dáil last week. Will the Taoiseach go to America? We need a bilateral agreement for our undocumented Irish. The legislation will be dealt with in the US in November, so will the Taoiseach go there to try to do something about it?

An Ceann Comhairle: This is not in order.

Deputy Enda Kenny: On a point of order, the House agreed unanimously that it would pursue the concept of a bilateral agreement with the US.

An Ceann Comhairle: It was a Private Members' motion and it was fully debated. Deputy Ring openly contributed to that debate. We cannot debate it now.

Deputy Phil Hogan: When is it going to be implemented?

Deputy Enda Kenny: The motion was amended with the consent of the Government, which had a strong part to play on it. We do not want to divide on this issue. The Taoiseach's *imprimatur* is critical to the whole business.

An Ceann Comhairle: It is not in order now.

Deputy James Bannon: The Health Information and Quality Authority published its report yesterday, which stated that 51 public hospitals did not receive a top rating of excellence. When can we expect legislation to enforce public hygiene in our hospitals? This is affecting patients right across the country.

The Taoiseach: As I said to Deputy Ó Caoláin, legislation on HIQA, which is responsible for enforcing standards, has already been enacted. A health amendment Bill will be published next year.

Ministerial Rota: Motion.

Minister of State at the Department of the Taoiseach (Deputy Tom Kitt): I move:

That, notwithstanding anything in the Resolution of the Dáil of 14th June, 2007, setting out the rota in which questions to members of the Government are to be asked, questions for oral answer, following those next set down to the Minister for Health and Children, shall be set down to Ministers in the following temporary sequence:

Minister for Agriculture, Fisheries and Food;

Minister for Foreign Affairs;

Minister for Enterprise, Trade and Employment;

Minister for Arts, Sports and Tourism;

Minister for Social and Family Affairs;

Minister for Community, Rural and Gaeltacht Affairs;

Minister for Transport

where upon the sequence established by the Resolution of 14th June, 2007, shall continue with questions to the Minister for Education and Science.

Question put and agreed to.

Select Committee on Foreign Affairs: Motion.

Minister of State at the Department of the Taoiseach (Deputy Tom Kitt): I move:

That the Orders of Reference of the Select Committee on Foreign Affairs be amended in paragraph (1)(a) by the deletion of '11 members' and the substitution therefore of '13 members'.

Question put and agreed to.

Joint Committee on Climate Change and Energy Security: Motion.

Minister of State at the Department of the Taoiseach (Deputy Tom Kitt): I move:

(1) That a Select Committee, consisting of thirteen members of Dáil Éireann, be joined with a Select Committee to be appointed by Seanad Éireann to form the Joint Committee on Climate Change and Energy Security to consider, *inter alia*:-

(a) medium and long term climate change targets and the key measures needed to meet those targets;

(b) the role of the agriculture sector in providing bio-fuel and biomass crops and consequential implications;

(c) the levels of power supply which can be generated from renewables or other new power supplies;

(d) the projected energy demand from transport and the implications for energy security and emissions targets;

(e) such other matters as may be referred to it from time to time by both Houses of the Oireachtas;

and to report thereon to both Houses of the Oireachtas in advance of the conclusion of the post-Kyoto negotiations by the United Nations Framework Committee on Climate Change (UNFCCC) and the associated EU 2020 burden sharing process.

(2) The Joint Committee shall have the powers defined in Standing Orders 83(1) to (9) inclusive.

(3) The quorum of the Joint Committee shall be five, of whom at least one shall be a Member of Dáil Éireann and one a Member of Seanad Éireann.

Question put and agreed to.

Joint Administration Committee: Motion.

Minister of State at the Department of the Taoiseach (Deputy Tom Kitt): I move:

That, notwithstanding anything in Standing Orders, the Standing Orders of Dáil Éireann

relative to Public Business are hereby amended as follows:

(1) in Standing Order 99 by the deletion of paragraphs (1)(d), (1)(e) and (4);

(2) by the adoption of the following as an additional Standing Order relative to Public Business:

101A. (1) There shall stand established, following the reassembly of the Dáil subsequent to a General Election, a Standing Committee which shall be joined with a similar Committee of the Seanad to constitute the Joint Administration Committee.

(2) The Committee shall represent the views of members on the provision of services for and by the Houses generally, and may make recommendations thereon to the Houses of the Oireachtas Commission (“the Commission”).

(3) Recommendations of the Committee shall be subject to—

(a) the sanction of the Commission in relation to the financial implications of such recommendations;

(b) the regulatory authority of the Commission or the Minister for Finance, as provided by law; and

(c) the requirement for efficiency and economy in the use of Commission resources and value for money considerations generally.

(4) Without prejudice to the generality of paragraph (2), the Committee may advise, and make recommendations by way of report to, the Commission, on—

(a) Members’ Services, including:

(i) secretarial and other facilities;

(ii) library and research services; and

(iii) legal advice services (within the meaning of section 4(2)(e) of the Houses of the Oireachtas Commission Acts 2003 and 2006).

(b) Accommodation and facilities, including:

(i) the bars, shop and restaurants;

(ii) the conditions or premises in which members carry out their duties; and

(iii) security and access.

(c) Communications Services, including:

(i) education, media relations and public information services; and

(ii) broadcasting (in all its forms) of the proceedings of Dáil Éireann and its

Committees, including rules of coverage and archive access,

Provided, that in relation to broadcasting, the Committee shall:

(I) discharge the necessary monitoring arrangements for in-House televising and for sound and televised broadcasting of Dáil Éireann and its Committees;

(II) review and modify the rules of coverage for the televising of proceedings of Dáil Éireann and its Committees;

(III) determine rules of access in respect of the archive of proceedings of Dáil Éireann and its Committees; and

(IV) determine, subject to the consent of the Houses of the Oireachtas Commission, from time to time the fees to be payable in respect of broadcasting of proceedings of Dáil Éireann and its Committees.

(d) Such other matters as may be referred to the Committee by the Commission from time to time.

(5) Every report which the Joint Committee may make shall be referred to the Commission and its Management Committee, which may prepare a formal response to the recommendations therein.

(6) The Standing Committee shall consist of fifteen members of Dáil Éireann and shall include the Party/Group Whips. The quorum of the Joint Committee shall be five, of whom at least one shall be a member of Dáil Éireann and one a member of Seanad Éireann. The Joint Committee shall include at least one member of the Commission (whether Deputy or Senator). The Chairman of the Joint Committee shall be a member of Dáil Éireann.

(7) The Joint Committee shall have the following powers:

(a) power to appoint sub-Committees as defined in Standing Order 83(3);

(b) power to engage consultants as defined in Standing Order 83(8); and

(c) power to travel as defined in Standing Order 83(9).

(8) The Joint Committee shall have power to nominate persons to assist it in its deliberations; and such persons shall attend such meetings as the Joint Committee may determine.

(9) The Joint Committee shall report to the Commission on its activities on an annual basis, by 31 December each year.’

[Deputy Tom Kitt.]

(3) by the deletion of Standing Orders 102 and 103; and

(4) in Standing Order 112(c) by the deletion of “the Joint Committee on Broadcasting and Parliamentary Information” and the substitution therefore of “the Joint Administration Committee”.

Question put and agreed to.

Membership of Committees: Motion.

Minister of State at the Department of the Taoiseach (Deputy Tom Kitt): I move:

That the following members be appointed to the Committee on Members' Interests of Dáil Éireann:—

Deputies Noel Grealish, Peter Kelly, Pádraic McCormack, Noel O'Flynn and Jack Wall;

that the following members be appointed to the Committee on Procedure and Privileges:—

Deputies Seán Ardagh, Seán Barrett, Cyprian Brady, Thomas P. Broughan, Ciarán Cuffe, John Curran, Noel Grealish, Tom Hayes, Paul Kehoe, Tom Kitt, Dan Neville, Seán Ó Fearghaíl, Rory O'Hanlon, Aengus Ó Snodaigh, Emmet Stagg, David Stanton and Noel Treacy;

that the following members be appointed to the Joint Committee on Climate Change and Energy Security:—

Deputies Bobby Aylward, Seán Barrett, Joe Behan, Dara Calleary, Simon Coveney, Ciarán Cuffe, Andrew Doyle, Martin Ferris, Michael Fitzpatrick, Seán Fleming, Phil Hogan, Finian McGrath and Liz McManus;

that the following members be appointed to the Select Committee on Foreign Affairs:—

Deputies Seán Ardagh and Tony Gregory.

Question put and agreed to.

Regional Fisheries Boards: Motion.

Minister of State at the Department of the Taoiseach (Deputy Tom Kitt): I move:

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

(i) Regional Fisheries Boards (Postponement of Elections) Order 2007,

(ii) Fisheries (Miscellaneous Commercial Licences) (Alteration of Duties) Order 2007,

copies of which were laid before Dáil Éireann on 8th November, 2007, be referred to the Joint Committee on Communications, Energy and Natural Resources, in accordance with para-

graph (2) of the Orders of Reference of that Committee, which, not later than 5th December, 2007, shall send a message to the Dáil in the manner prescribed in Standing Order 87, and Standing Order 86(2) shall accordingly apply.

Question put and agreed to.

Local Government (Roads Functions) Bill 2007: Second Stage (Resumed).

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

Deputy Seymour Crawford: While the Taoiseach claims this legislation is only technical, it is of major importance. Since I entered the House, the one issue I have had to deal with more often is our road network. In the late 1980s and early 1990s, County Cavan, I recall, was known as the pothole county.

I welcome the transfer of the two functions from the Department of the Environment, Heritage and Local Government to the Department of Transport. One must be concerned, however, if this is correct knowing the history of the Minister for Transport, Deputy Dempsey, for messing matters up.

I welcome the statement by the Minister for the Environment, Heritage and Local Government, Deputy Gormley, that the implementation of this change will not involve a negative impact on funding for non-national roads. However, I question his claim that the national vehicle driver file, NVDF, system enables all vehicles and driving licence transactions processed to be updated in real time. When one drives down the M1, cars break the speed limit without any worry of being caught. Up to a quarter of those who should have received penalty points did not have them imposed because they are not on the NVDF. When one considers the number of accidents with such drivers, one must ask what efforts are being made to update the NVDF and ensure all drivers are brought into line.

With the transfer of functions between Departments, the funding implications for non-national roads are serious. While the Minister for the Environment, Heritage and Local Government claims the integrity of the funding will not be compromised by the transfer, the Minister for Transport will be in charge. I am concerned about comments made by him when he opened the Castleblayney bypass last week.

County Cavan has 2,476 km of road, 108 km of which are national primary and secondary, the remainder consisting of county and regional roads. It is also a county that has many drumlins, a topography that consists of heavy and wet underground soils which require much drainage and make road maintenance expensive. The Minister suggested county councils will have to provide 30% of the costs of funding from their

rate base which will impose serious difficulties. The Border region has had serious problems over the years with lack of investment and a subsequent lack of a rate base. I urge the Minister to re-examine this suggestion for the Border region.

Recently I was in County Donegal attending a pleasant function to record Deputy McGinley's 25 years in the Dáil. There is a major problem with the road network between counties Monaghan, Cavan and Donegal and Northern Ireland. While I agree tremendous progress has been made through the St. Andrews Agreement, it is important the Minister for Transport works with his Northern Ireland counterparts to ensure the N2-A5 is upgraded, along with other cross-Border routes.

Anyone travelling on the N3 from Dublin to Donegal will know the poor state of the road between Cavan and Enniskillen. Much of the debate about the upgrading of the N3 has centred on the court cases over Tara. There is nothing to prevent the Government from providing the funds to bypass Virginia and Belturbet. It is important that the Minister takes into account that little moneys have been spent by the National Roads Authority in the past several years in counties Cavan and Monaghan.

When the Minister opened the Castleblayney bypass, it was pointed out much damage was done to the surrounding local roads during construction. Engineers estimate it will cost up to €5 million to repair these roads. As the Minister will meet local groups on the matter shortly, I urge him to provide funding for these repairs. Up to €125 million was spent on the bypass. To leave the surrounding county and regional roads in a state of disrepair would be a failure to recognise the problems the local people went through while the bypass was being constructed. To finalise the bypass, a road between Keady and the old N2 needs to be completed. While the funding has gone to part 8, the funding must be put in place as soon as possible.

I have not covered one tenth of the issues I wished to raise. While I welcome the Bill, I am concerned by the failure of the Minister for Transport on the driving test and other issues. I wonder if he is capable of this job.

Deputy Cyprian Brady: I wish to share time with Deputy Michael Kennedy.

Acting Chairman (Deputy Kathleen Lynch): Is that agreed? Agreed.

Deputy Cyprian Brady: Roads in general play a large role in people's lives, not least in getting from one place to another in a safe and quick manner. After the 2002 general election, many of the functions for road traffic and safety were transferred from the Department of the Environment, Heritage and Local Government to the Department of Transport. It makes sense to con-

tinue this process through this Bill. The purpose of this Bill is to provide for the transfer of certain functions connected with non-national roads and the national vehicle and driver file, NVDF, from the Minister for the Environment, Heritage and Local Government to the Minister for Transport, as announced by the Taoiseach last June. The Bill also amends the Local Government Act 1998, to allow the Minister for the Environment, Heritage and Local Government to make payments from the local government fund to the Minister for Transport in respect of non-national roads and the expenses incurred by maintaining the NVDF records following the transfer of functions.

Section 2 enables the Minister to make regulations in respect of the NVDF funding being transferred to him through amendment of the Roads Act 1920. Section 3 allows for the vesting of all ministerial consent provisions in respect of railway orders where the works involved are likely to affect public roads. I have experienced the serious effect that railway orders can have on a locality. It is right that the Department of Transport should be the lead Department in administering these orders. Section 4 is a standard provision.

It makes sense to transfer responsibility for non-national roads to the Department of Transport which is responsible for overall transport development. These measures will not affect the funding for non-national roads on which we will spend more than €600 million this year. That is the benchmark from which we will move forward. Anybody travelling around the country can see the benefits of investment over relatively few years. The national roads and motorways have made a significant difference to people's lives. That investment is guaranteed to continue.

The NVDF plays a significant role in motorist and pedestrian safety and is vital to road safety campaigns, in regulating drivers and vehicles. It is suitable to transfer responsibility for the 2.4 million registered vehicles and 2.5 million licensed drivers to the Department of Transport. Only five to seven years ago people queued for hours to renew their licences or tax their cars. The investment in technology and staff in the licensing and registration offices has paid dividends, making it possible to access these services on the Internet. It was difficult for people to have to queue for four or five hours at the then Dublin Corporation office and cost money through loss of working hours.

The roads maintained by Dublin City Council, previously Dublin Corporation, in some of the suburbs in my constituency are in bad condition, because of the major increase in the volume of traffic. Traffic continues 24 hours a day, seven days a week as major shopping malls on the outskirts of the city remain open all that time. Sunday is probably one of the biggest shopping

[Deputy Cyprian Brady.]

days in the week. This results in constant use which did not exist previously.

While the introduction of bus and bicycle lanes is welcome because they make a difference to the lives of commuters, some of their surfaces, particularly on the bicycle lanes do not last long. This is also due to the increase in traffic volume. This can be dangerous for cyclists when there is confusion as to where a cycle lane starts and stops. The Department could deal with this problem.

Many foreign registered cars have been imported in recent years causing problems for the Garda and other motorists which the Department must examine. Significant strides have been made in registering vehicles and licensing motorists but problems arise among motorists from outside the jurisdiction. In some cases the imported vehicles are in bad condition and are abandoned around the city. That causes major problems for communities because the cars are vandalised and sometimes set on fire.

Many roads in the old areas of the city were not made to take today's volume of traffic and have suffered greatly. There should be an audit of these secondary roads, some of which have become major roads because of development around the city. Improvements must be considered seriously, and be effected.

I congratulate Dublin City Council, which works closely with the Department of Transport, on developing roads in my constituency, particularly around Dorset and Parnell Streets. The Bill is welcome because it does not make sense for two different Departments to have responsibility for the road network.

Deputy Michael Kennedy: I welcome the opportunity to speak on the Local Government (Roads Functions) Bill. There are many advantages to the proposal to transfer responsibility for non-national roads and for the national vehicle and driver file, from the Minister for the Environment, Heritage and Local Government, to the Minister for Transport. There is no rationale for continuing to have two Departments and two Ministers dealing with issues involving the road network. The transfer of powers will bring greater efficiency, there will be a reduction in costs and our citizens and road users will receive an improved service from local authorities.

There are many advantages with regard to national roads and as the Minister for Transport is responsible for national roads this will benefit everyone. I welcome the fact that the Government will continue to provide sufficient funding and we know that more than €600 million is promised for next year. That is a significant amount and while we all have roads in our constituencies that need upgrading and maintenance substantial progress has been made throughout the country, not just in my constituency of Dublin

North. The Minister has given an assurance that this funding will not be affected by the transfer of responsibility from one Department to another.

There are challenges such as new housing estates and this is particularly the case in my constituency of Dublin North where fine new roads exist on estates but roads can be more like boreens outside them. This issue must be addressed and the challenge facing the Department is to ensure we do not have brilliant roads for a couple of hundred metres in an estate and substandard roads outside the estate. I feel the Government is prepared for this challenge.

The extent to which the National Roads Authority can be held accountable is a problem and I know many Members have mentioned that it does not seem to respond to parliamentary questions and so on. This issue must be addressed because if we, as public representatives, are to do our jobs properly we must be able to get answers and find out what is being done and when it will be done. Other speakers also referred to long-term planning and, as someone with experience in local authorities who knows county councils are trying to formulate three and five year programmes, I feel we owe it to local authorities to let them know the funding they will receive over a five or ten year period. This would facilitate local authorities and the Department in co-operating on the delivery of roads of a high standard for everyone.

We should acknowledge that major work has been done in the past five or six years such as the M1 motorway that runs through my constituency to the Border. It is a fantastic road and the new N2 through Ashbourne to Derry is a major benefit to motorists. I feel that combining the functions of non-national roads with those of national roads will lead to greater efficiency and safety.

There are many advantages to having the national vehicle driver file, NVDF, under the auspices of the Department of Transport. There are 2.4 million registered vehicles in the country and 2.5 million drivers on a computerised system for which the Department of the Environment, Heritage and Local Government had responsibility. This system is useful because it allows updates on a real time basis. The issue of unregistered drivers and vehicles, as mentioned by my colleague Deputy Cyprian Brady, is serious and affects every town and village in the country. Comments from other citizens suggest that these vehicles are not insured and that the drivers do not have licences and this is something the Department must tackle quickly. Sooner or later there will be a serious accident and ordinary, law-abiding motorists will pay through higher insurance premiums. The NVDF is important in the management of our national motor tax and driving licence systems and it has played a key role in bringing about proper driver regulation and in

supporting critical road safety standards. I feel that it is a step forward for the Department of Transport to be responsible for all matters relating to road vehicles.

There are challenges and I feel that the data on penalty points on national vehicle driver file is one such. One hears stories of points not being recorded and it is incumbent on us to ensure that all who incur penalty points have them endorsed on their licences. This applies equally to non-nationals who are currently not penalised.

Dublin North has benefited significantly from investment in roads and it is the fastest growing constituency in the country, if not Europe. The county council is planning to confer city status on our county town of Swords in the next 15 to 20 years as its population grows to 100,000. Having two Departments deal with transport-related issues is not the way forward and I think combining functions under the Department of Transport is a progressive step.

Reference has been made to railway orders and the metro will come to Swords via Dublin Airport in 2013. The Department of Transport is responsible for delivery of the metro service so I feel it is essential that all issues involving railway orders be addressed by that Department. The DART is to be extended from Malahide to Balbriggan and the same problems will arise in that case.

Yesterday I read an English report on rural roads and they have similar problems with boy racers making rural roads unsafe for law-abiding citizens to walk or cycle on. It is critical that we deal with the standard of rural roads here because if we want proper safety we need proper surfacing and signage. I believe that it is far more satisfactory that a single agency deals with this.

Nobody seems to take responsibility for the provision of park and ride services and, with regard to traffic congestion in the city, it is vital the Department of Transport takes responsibility for the provision of such facilities. The Department could work with local authorities on this because at the moment I do not believe the issue is being addressed by any Department. If one Department is to be responsible for all aspects of transportation it is essential that responsibility for the provision of park and ride services be brought under the umbrella of the Department of Transport.

I commend this Bill to the House.

Acting Chairman: Deputy Martin Ferris has ten minutes to speak. I believe the Deputy seeks to share time with Deputy Sherlock but we will see how we proceed.

Deputy Martin Ferris: I thank the Labour Party for affording me time to contribute to this debate. While this Bill deals with a relatively minor matter, there are significant issues to be resolved in regard to roads and transport in general. For

example, the strike by some Dublin Bus workers has contributed to even worse traffic congestion than normal in the city. Hopefully, this dispute will be resolved now that it has been referred to the Labour Court.

While an improved public transport system is clearly required to discourage commuters from using cars, the generally accepted solution to traffic problems is to build new and better roads and, where possible, to bypass major centres of population. In conjunction with an improved railway transport system, this is the ideal for the future. The development of new roads has been successful in many instances. However, several projects are behind schedule.

In my county, work has yet to begin on several projects in respect of which commitments were made. For instance, work was supposed to commence on the Castleisland bypass this year but has now been put back to 2008. For several years, Oireachtas Members and other public representatives in the area have been campaigning for the construction of this bypass. We encountered ongoing difficulties in our dealings with both the Government and the NRA. The NRA did not consider it a priority, it claimed, unless directed so by the Government. I spoke to people in Castleisland whose lives and businesses are impacted greatly by the traffic congestion. Motorists frequently find that it takes half an hour to get through the town.

Thankfully, in the lead in to the election in May and following our representations, a political commitment to proceed with the bypass was given and agreed to by the NRA. In August, however, Deputy Deenihan, Deputy Tom McEllistrim and I met representatives of the NRA who told us they were awaiting funding from the Government. The former Minister, meanwhile, referred all queries back to the NRA. The commitment is there but it must be delivered upon. It is of great importance to people in Castleisland.

My constituency colleagues and I meet the manager of Kerry County Council on a regular basis, with his senior executive officials. There is major concern on their part about the lack of an adequate infrastructure to facilitate investment in the area. I appreciate that north Kerry is not alone in this. In areas that have suffered because of a lack of investment, a decline in farming and the virtual wiping out of the fishing industry, it is vital to attract investment. The importance of this cannot be overstated, especially in peripheral sea-board counties. The infrastructure must be in place to facilitate that investment. However, there is great concern on the part of the manager of Kerry County Council and his executive that the funding required to develop road infrastructure may not be available.

I acknowledge that much has been done in recent years. The upgrade of the Killarney-Tralee road from Ballycarty Cross to Tralee is welcome,

[Deputy Martin Ferris.]

as is the ongoing work on the Tralee-Listowel road. However, access to the region must be improved. Investment must be secured that will compliment local industries, particularly in rural farming communities where farming is now only a part-time occupation. Such communities require means of diversifying that allow people to remain living and working in their areas. Infrastructure is vital in this regard.

Every Member has experience of putting questions about roads to the Minister for Transport only for those questions to be referred to the NRA. However, ultimate responsibility for funding such projects rests with the Government. We are elected representatives and all of us do our best for our respective areas. We must have more of an input into these vital projects and we must hold the Government to account in providing the necessary funding. It must not continue to hide behind the NRA. The Government is ultimately responsible for failings in this area.

There is a pressing need for the Tralee ring road project to be completed. Austin Stack Park is on course to be relocated to the former Ballyeggan racecourse, where the GAA hopes to construct an all-seater stadium with a capacity of 15,000. The road infrastructure must be in place to accommodate that level of people movement and the associated traffic congestion. Although it is included in the Government's road programme, there is no certainty as to when the ring road will be completed. It is of enormous importance to Tralee. From Monday to Friday, morning and evening, the traffic is absolutely congested. It has to be seen to be believed. The town centre has suffered as a result of this as retail units increasingly move out of town, thus eroding the heart of the locality.

The proposal to bring large retail units to the centre of Tralee by purchasing what is now Austin Stack Park and the John Mitchels GAA pitch is welcome. The plans are in place and I understand the planning application will be submitted in coming days. There is great potential for the town in this development. I cannot stress enough the necessity of completing the ring road to facilitate that. There is a Government Member in the area and the Ceann Comhairle is also from north Kerry. Areas such as north Kerry, south Kerry, Clare and so on are crying out for this type of investment. It is of great importance to local economies in keeping people employed locally and in preventing any escalation of emigration.

The most recent issue to cause problems for the Minister for Transport was the announcement about the regulations governing drivers with provisional licences. If the original proposal had been followed through, 400,000 drivers would have been effectively put off the road within days, with devastating effects on the economy. Thankfully, however, common sense prevailed. While

we all support the principle and implementation of a road safety plan, we must ensure that motorists with provisional licences are able to undertake a test in time for next May. It is incumbent upon the Government to ensure this is the case.

There is a great need for funding for the maintenance of what are variously called boreens, back roads, non-national roads or local roads. A recent survey showed that most fatal road accidents occur on these types of roads. It is mind-boggling that roads only suitable for travelling on at 20 km/h or 30 km/h have speed limits of 100 km/h. This is absolutely ridiculous. The system must be overhauled without delay. The worst tragedies contributing to the carnage on our roads have taken place in such circumstances.

As a councillor, I argued for years that road safety and driver education should be included in the school curriculum. Most drivers develop bad habits at a young age. Provision should be made to educate young people about good driving habits. That is very important and I advocate that this speedily be made part of the school curriculum.

Another aspect I would raise are the community involvement and local improvement schemes. These bring about tremendous work in the more rural and less noticed parts of our counties. They should be continued and, if possible, given 100% funding or something of a similar nature. Ordinary people can contribute to such schemes.

I am concerned that if one person objects to a community involvement scheme on a road where eight people are living, the process can be held up. Something must be done about this and legislation should be introduced to deal with such a problem. Neighbours may not like each other, may fall out or have grievances going back 20, 30 or 40 years. Such people can stop a process that would benefit an entire area. Any required legislation should be introduced so that when a majority of people on a road want work to be carried out, it will be done without one person holding up the process.

Deputy Seán Sherlock: The transfer of functions to the Department of Transport seems logical and laudable in some respects. It can only be effective if it deals with a certain range of issues. I can only speak for my constituency of Cork East and for the general Cork area, where funding for non-national roads has been absolutely derisory. If this Bill is to mean anything, it must ensure funding is effective and will trickle down through the various divisions within Cork County Council and its engineering areas.

What we have seen to date is that roads prioritised under Transport 21 receive funding, which is welcome, but non-national roads or secondary roads receive no funding whatsoever. The N72 and N73 are particular examples. If we are to take Mallow, Mitchelstown and Fermoy, which are on

those routes, one will serve the main tourist route between Waterford and Killarney and the other will serve the main route from Kanturk, west of Mallow and through to Dublin.

Mallow currently has hub-town status but we are not getting the trickle-down effect of financial incentives to create the northern relief road, which is vital to a town like Mallow and its surrounding areas in terms of its attractiveness for inward investment and the creation of infrastructure around the town.

We need a change in policy and funding for roads such as these. They are vital arteries for towns such as Mallow, Mitchelstown and Fermoy, but they have become dangerous roads because of a lack of proper funding. To travel the road from Mallow to Mitchelstown on a day such as today, in some instances one is taking one's life in one's hands. Two lorries cannot pass each other comfortably on some parts of the road without stopping or slowing down to speeds of 5 km/h or 10 km/h. That speaks volumes about the Government not investing properly in such infrastructure.

Deputy Ferris spoke of community involvement and local improvement schemes. There is almost a begging-bowl mentality in this regard for public representatives such as myself. I have to go cap in hand to local area engineers to seek funding or to have certain roads prioritised within divisional engineering areas, which is completely ludicrous in this day and age. If people pay road tax and a development contribution for the building of a house in a rural part of the county, I do not see why they should have to pay extra to have a road included in a local improvement or community involvement scheme. These people should have the same rights and entitlements as any other citizen of this State to have the road outside their houses in an acceptable condition.

The Cork to Limerick road also speaks volumes about Government policy, as we in Mallow and north Cork have been waiting for this northern relief road but are almost at the mercy of Transport 21 and the funding streams of the NRA. There is also the question of whether the NRA will get the requisite funding to be able to create the Atlantic corridor between Cork and Limerick, and whether a spur will be created for the northern relief road.

These are policy issues as to how funding is implemented at the local level but they have a great effect on people's lives. That is what we are speaking to in debating this legislation. Will a change in legislation bring about a marked increase in the quality of people's lives, as we must ensure it does?

I spoke about development contributions and the current funding of local government is completely inequitable. If a young couple applies for planning permission today, they will be levied at exorbitant rates for contributions on the building

of their house. It adds to the cost of building and they do not see a return in terms of increased lighting or improvements in the road surface outside the house. The money is centralised within the county council and then divvied out through the division. The northern division of a county council would compete with the southern division for funding into specific areas.

The entire area of Government policy as it pertains to roads must be looked at. If we are to enhance the quality of people's lives, any effect or change in the legislation must ensure this happens.

Deputy Mary O'Rourke: I am very glad to speak on this legislation. It is clear it is a technical measure, as we have been told by many speakers, including the Taoiseach, this morning. Be that as it may, it affords us an opportunity to relate experiences about roads and deal with such matters through the Minister.

The Bill is sensible but I have several issues to air. We know the NRA is responsible for major roads and, by and large, it does a very good job with the highways. I speak in particular about the ongoing work from Dublin to Athlone. That road has been completed up to Kilbeggan and we now await completion of the Kilbeggan to Athlone section and onwards to the west. I hope this will happen quickly.

The opening of the Kinnegad to Kilbeggan section of the route has brought about a significant difference in journeys from Dublin to Athlone. This does not necessarily relate to the time taken, as I find when travelling it still takes the same amount of time for the journey no matter how many roads are built, but there is a great sense of safety and security. It is much easier to drive on a major national road, although there are toll booths. Travelling at the required speed, it takes 35 minutes to get to Kilbeggan from the toll booths. The Moate to Athlone stretch remains the same.

Everybody in the land knows about the difficulties of going through Moate. I hope such difficulties will be eliminated from our travel arrangements within six months. Listening to traffic reports on the radio any evening, we are told there are 30 minutes or 35 minutes delays on the eastern side of Moate and 40 minutes or 45 minutes delays on the western side. It was never intended that the town of Moate would be highlighted in that respect but that has happened nonetheless. Traffic has built up on each side so the quicker Moate is bypassed, the better.

In areas where bypasses and relief roads assume such dominance, non-national and rural roads are overlooked but these are the roads most people travel on: they never see the major highways. All of us at our branch general meetings are asked about the conditions of these roads. We hear horrific stories about the run-

[Deputy Mary O'Rourke.]

down state of the roads and the potholes in them. We should be able to proceed with the road programme for the national and major roads in tandem with county and non-national road improvements that will enable people in rural areas to go about their daily lives, bringing children to school, shopping and visiting elderly relatives. Many of those things are done on roads of this nature. It is vital they are kept up to scratch and I am not satisfied sufficient funding is being provided for them, if the stories we are told and the experiences we gain are any proof.

When I was first elected to Westmeath County Council many years ago, the local improvement schemes were given out to councillors in the area and they could claim some of them — I claimed two schemes. Deputy Ferris mentioned that a local improvement scheme can be held up if one person refuses to co-operate. There might be seven dwellings on a road and six occupants are enthusiastic about the scheme but the seventh, while he is enthusiastic, is in a row with someone competing for the LIS and they cannot reach agreement. When it happens it causes major disappointment. They are marvellous schemes and were a great mainstay for local authorities, although there is not as much concentration on them now. Environmental improvement schemes are similar but the local improvement schemes were specific to particular roads and householders. I hope sufficient money is available in every local authority budget for the maintenance of rural and local roads. Once they are done they are taken over with a programme of work laid out to deal with them in the years ahead.

Investment by overseas companies depends on the road network. We had a salutary experience 18 months ago in Athlone. At the time the bypass had not reached Kinnegad, and only the toll plaza was in place. By the time the industrialist had navigated Enfield, Kinnegad, Milltownpass, Rochfortbridge, Tyrrellspass and Kilbeggan, he was weary and he decided to go somewhere with much better access. In an economic and industrial sense, it is important to use our road network to good economic advantage. I notice the IDA in its literature mentions that Athlone is on the major road from Dublin to Galway, which will soon be complete.

There was a time when terror would grip the community in a town that was about to be bypassed because people felt no one would stop in the town. When we embarked on the Athlone bypass, we went to Naas to see how it had coped with its bypass. The traders were delighted with it and business had increased. In Athlone, despite the bypass that most major trucks take, there is always traffic in the streets and it is still difficult to do business.

Deputy Ferris mentioned town centres. We recently opened a magnificent inner-town shop-

ping centre. It is based on 5.5 acres of back gardens in the main streets in Athlone. It is amazing to stand in the shopping centre when it was once someone's back garden. It is in the middle of the town, which is what shopping should be about. The British went daft for out of town shopping centres at one time, with people flocking to them. I never saw the sense of those. Shopping should be integral to the life of a town and inner-town shopping centres are more exciting and attractive to townspeople and visitors. People have stopped going to out of town shopping centres.

Road safety and driving lessons should be on the curriculum at second level. There is no better environment in which to learn about road safety theory than school. Road safety could be part of the CPSE course at junior certificate level and at senior level driver theory could be studied. Rosemary Smith, the well known rally driver, is an advocate of this idea. Driving should be a subject the same as learning about banking, loans and other areas. I have seen young women with high marks in the leaving certificate who would not know how to get a home loan, a mortgage or planning permission. There is a need, therefore, for practicality at leaving certificate level.

Developmental levies were mentioned. County managers and executives have gone mad for these levies. Young couples who after much effort secure planning permission usually find it is conditional on the dreaded developmental levy.

I refer to the significant amounts being charged sometimes in rural Ireland. County managers and their colleagues are using this far too handy system of levies for their counties. I know they are not misusing the money, but my point is illustrated for example, by a case I came across recently where a development levy of €1,718.50 was charged to a man who lives on a rural road to which nothing much will be done. He is required to pay this amount in what is euphemistically entitled a developmental levy. This will come on top of whatever costs he has incurred on the plans, making a planning application, and going about getting his mortgage and starting his business.

The Minister for the Environment, Heritage and Local Government and his deputy, the Minister of State, who is present today, should pay heed and speak to the county managers when they have their annual get-together or whenever they meet. They should tell them to ease off on development levies that were never meant to be of such a punitive nature that they would inhibit a man from building his house. I saw this happening recently.

This is equally true for industrial development. A small, good business in Athlone, which employs 140 people, wished to construct a silo on its factory premises. There was nothing wrong with the silo and the planning permission was coming. However, as an addition to the develop-

mental levy, the applicant was informed in the planning permission that he would be obliged to install public lighting and footpaths on the entire road. The applicant has told me that he will be unable to comply. The company in question is a subsidiary of a German firm, the budget meetings of which are coming up. While he had no idea how much all this would cost, it would certainly be a hefty amount. I believe the county planner simply said to himself that these rich Germans could afford this easily and could be milked for as much as he wished. However, it is an Irish subsidiary that gives useful employment.

This is a heinous development in the wrong direction and will kill the cow that has been delivering some much-needed finance. If this continues, it certainly will put off people from applying for permission or from putting themselves forward as being eligible for various developments. When I protested to the town clerk and the county planner, I was brushed off to an extent by a response asking whether the person in question wanted the permission. The planning system was never meant to operate in that manner and I am dismayed by such a development and the manner in which this is taking place.

I revert to the Bill before the House and thank the Acting Chairman for her generosity in allowing me to continue in this vein. However one does not often get the chance to speak about roads in a general sense. My main point today is that this measure is logical and clearcut. However, I note with some trepidation that the financial arrangements for the transfer are to be completed by the end of November at which point the budgets will be reallocated, added to and taken from. Throughout my career in various Departments, I have often found that when this is done, a transfer does not mean that one achieves a full transfer or that one gets the full intended value. Often it is a chance to get a "schkelp" at the budget by suggesting that some money can be taken from one area that no one will notice in a transfer. I am sure the Minister for Transport, Deputy Noel Dempsey, his staff and colleagues will look out for such a move and will ensure they are not diminished in any way and that half way between Merrion Street and Kildare Street there will not be a not a drop-off of a few million euro that would enable the budget to be cut and the value not to be maintained.

The Local Government Fund is the most important mechanism we have to fund local life in villages, towns and rural districts. It is necessary to keep this in focus always. I refer to the massive road-building programme that is now under way and which is being implemented as the current mantra would say, on time and in budget. It is equally necessary to ensure it does not lead to a lack of emphasis on non-national roads and regional roads. They should be complementary

because this is a small country. Everyone is pleased the land will be criss-crossed with a significant number of wonderful roads. I wish well all those who will drive on them. However this will be no good if the ideals of life at rural, local village or townland level are not equally nurtured and brought forward.

I wish to raise a point regarding the NRA as it performs its work. In my locality, Ascon are the main contractors for doing such work and I am sure it is a reputable firm. It bypassed Rochford-bridge, which was fine and the people there were very pleased because it is a small village that needed a bypass because the large trucks passing through were having a bad effect. However, while so doing, many smaller jobs arose that it was obliged to perform to get the bypass through. I refer to felling trees, attending to drains, dealing with a man who made his backyard available to the company and similar matters. Those concerned were assured that once clearance was given, such matters would be attended to. The people gave clearance and thereafter Ascon moved on to the next village in which there were more things to be done. The people of Rochford-bridge were left waiting and wondering what had happened to the various points of view they had put forward and that Ascon had promised to accommodate in its overall plan.

I wish this Bill well. The Minister for Transport should watch out to prevent the money being dropped half way over and attention should be paid to rural and county roads.

Deputy Terence Flanagan: I wish to share time with Deputies Feighan, English and Kehoe.

Acting Chairman: Is that agreed? Agreed.

Deputy Terence Flanagan: I welcome the opportunity to speak on this Bill. Like my colleagues on this side of the House, I believe there should be a strong business case for transferring powers from one Department to another before changes take place. In most cases, the change should be for the better. However, given recent developments within the Department, in particular those pertaining to Aer Lingus and the Shannon debacle, as well as the mess made regarding drivers with provisional licences and the road safety programme, I am worried.

The proposed changes do not make me confident in respect of the implementation of the roads programme. The Minister of State should reassure the House that there will not be a negative impact as a result of these arrangements. The proposed changes will transfer a considerable degree of financial autonomy from the Minister for the Environment, Heritage and Local Government to the Minister for Transport. In view of the magnitude of the responsibilities pertaining to the local government fund and the national vehicle drivers file, effectively the Mini-

[Deputy Terence Flanagan.]

ster is giving them away under an agreement made in the programme for Government that the non-national roads budget, consisting of the Local Government Fund and the Exchequer grants would be transferred.

The Department of Transport is growing by the day. Given all that is taking place within that Department at present, including Transport 21 and all the additional work it entails, I question whether the Department will be capable of delivering all new projects on time and within budget.

Debate adjourned.

Sitting suspended at 1.30 p.m. and resumed at 2.30 p.m.

Ceisteanna — Questions (Resumed).

Priority Questions.

Waste Management.

35. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government if he will bring clarity and coherence to the national waste strategy by stating whether the number of incinerators to be built is two, four, eight or another number; if his preference for two incinerators stands up to his assessment that 1.3 million tonnes of waste can be treated by MBT, in view of the fact that he has not explained the way he intends to increase MBT to that capacity; and if he will make a statement on the matter. [28883/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I have not made any statement in regard to the number of municipal waste incinerators which may be developed. Such developments are matters for local authorities, in the context of their statutory responsibilities under the Waste Management Acts, and for commercial decision by the private sector.

The Government's policy in regard to waste management is clearly set out in the programme for Government. It is firmly grounded in a continuing commitment to the waste hierarchy with a renewed drive towards the achievement of international best practice in the reduction, re-use and recycling of waste. There is a commitment to meeting our national objectives and EU obligations through an increasing emphasis on technologies for mechanical and biological treatment, MBT, of a growing volume of municipal waste. This will significantly reduce the future need for incineration capacity. My Department has carried out detailed projections of municipal waste up to 2016 taking account of continued pro-

gress in our recycling performance. These show that MBT capacity of between 900,000 and 1 million tonnes per annum will enable Ireland to meet its landfill diversion targets under the EU Landfill Directive while reducing the amount requiring further treatment to about 400,000 tonnes. MBT capacity of between 1.3 million and 1.4 million tonnes will enable us to meet the more challenging programme for Government target of sending only 10% of all waste to landfill.

As provided for in the programme for Government, my Department is initiating a major international review of waste management policy which will in part focus on how best to advance the use of the full range of technologies available for waste management. I am confident that we can rapidly move away from a position where incineration is regarded as the only viable solution for waste management to one in which we can exploit a much broader range of technologies to meet our targets in the most environmentally benign way possible.

Deputy Phil Hogan: The Minister mentioned two incinerators on an RTE programme. Perhaps he did not mean to, but he mentioned that two incinerators would be sufficient. However, there are seven incinerators going through the planning process at the moment. The Minister has obviously taken the view that incineration is no longer a problem. He could have instructed the local authorities to review their waste management plans to eliminate incineration as an option under the section 16 notice which he sent out during the summer months, but he chose not to do that. Will the Minister indicate how the MBT capacity of 1.3 million to 1.4 million tonnes will be achieved?

Deputy John Gormley: Let us be very clear about what was actually said. I listened one morning to the Deputy's party leader quoting me directly, if you do not mind, as making reference to incinerators. What I actually said was that we would require thermal treatment for 400,000 tonnes of waste. The interviewer then came to the conclusion that 400,000 tonnes was the equivalent of two thermal treatment plants, which it is. I was also accused of actually naming the locations of the two incinerators as Carranstown and Cork. Again, I did not do that. If the Deputy listens very carefully to what I said in an interview on "Prime Time", along with his colleague, Deputy O'Dowd, he will hear that I outlined in some detail how this could be achieved. If we start off with a figure of about 3.2 million tonnes, which is the amount of waste we will have, this can be reduced if we achieve a recycling rate of 50%. The Deputy will agree with me that this is where we ought to go and that we can achieve 50% recycling. In fact, we can go much higher than that, particularly in towns such as Dublin. In this way the amount of waste can be substantially reduced.

The figure the Deputy keeps repeating is 1.3 million tonnes. I am intrigued by this and I have consulted my officials on this matter, because the figure I have mentioned consistently is 1.7 million tonnes.

Deputy Phil Hogan: I am referring to the amount of waste that will be treatable by MBT.

Deputy John Gormley: The Deputy has, perhaps inadvertently, come across a figure of 1.3 million. I investigated in detail where the Deputy may have obtained this figure. It is the MBT capacity that would allow us to go further in dealing with waste as we would only have to send about 10% to landfill. The figures are available and they have been well thought out. The Department has done good work. When the international review is concluded we will have even more precise figures for the Deputy.

Deputy Phil Hogan: The Minister did not answer the question I asked. I have no difficulty about the figures he mentioned. What he said was that 1.3 million to 1.4 million tonnes of waste would be treatable by MBT. That is what I am referring to, not the total amount of waste we have to deal with, which is 1.7 million tonnes. I accept that figure, although it may be closer to 2 million tonnes. I asked the Minister how he intends to do this. What system will be used? He has obviously thought this through. How much waste will be treatable using the MBT process? How will it be done? People need to know what this process entails and whether it will be in the public interest.

The Minister has stated several times that incineration is out of the question, but he has done nothing to stop the plans from going through the planning process. He has stated in the past that they are a danger to health. That was mentioned in his submission to An Bord Pleanála about the proposed incinerator at Poolbeg. If he reads it he will see that the Green Party stated that incinerators were damaging to people's health.

An Leas-Cheann Comhairle: The Deputy is not allowed to quote during Question Time, but I am anxious to bring the Minister back for a final reply.

Deputy Phil Hogan: Surely I am entitled to bring the Minister's memory back to reality in terms of what he said in the past, as he is now in a position to do something about it.

Deputy Denis Naughten: Mature recollection.

Deputy Phil Hogan: I ask the Minister again to answer the question I asked.

Deputy John Gormley: It is regrettable if the Deputy believes all those things. The Deputy's

own party in Fingal County Council actually voted for the incinerator in Poolbeg Peninsula.

Deputy Phil Hogan: Does the Minister want to be reminded of what he said in the Poolbeg submission?

Deputy John Gormley: That is the inconsistency that I have to deal with from members of the Deputy's party. I do not know where they are coming from in the matter of waste management.

The figures are very clear. We can treat 1.3 million tonnes through the MBT process. I have been to Austria, where I saw how MBT can work. It is not a high-tech solution, as is often thought — it is actually quite low-tech. Black bag or grey bin waste is sorted and compostable materials are removed. Recyclable waste is also removed as, unfortunately, many people continue to put recyclable waste into the grey bin. In fact, through MBT an effective recycling rate of about 80% can be achieved. That is the point of it. These MBT sites should be situated at landfill sites, which is how it is done in Austria. After separation of the components I mentioned, we can obtain a refuse-derived fuel. That is the point I was making in my interviews with regard to the 400,000 tonnes of waste for thermal treatment. When I mention thermal treatment I am talking about co-firing or co-incineration. As the waste can be used in cement kilns, I have already had discussions with some cement factories about this. It makes sense and it is the way to go.

Sustainable Development Strategy.

36. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the steps his Department is taking to ensure that local authorities, in drawing up their next county development plans, will specifically climate-proof those county development plans and, for example, allow no building on flood plains; and if he will make a statement on the matter. [28711/07]

Deputy John Gormley: Development plans, prepared by local authorities under Part II of the Planning and Development Act 2000, provide the over-arching strategic framework for development within their areas, ensuring that all development is sustainable from an economic, social and environmental point of view. As such, the development plan must offer clear guidance on sustainable development policies and objectives, both national and local, which address the full range of sustainability issues such as climate change, waste management, transport, urban development, sustainable communities and the use of natural resources.

In June 2007, my Department published *Development Plans: Guidelines for Planning Authorities*. The guidelines state that it is imperative that the objectives and strategies set out in development plans are compatible with the

[Deputy John Gormley.]

Government's commitment to reducing energy consumption and modifying the impacts of climate change. Development plans should be consistent with the objectives of national initiatives that will address energy and climate change issues, such as the National Climate Change Strategy 2007-2012, which builds on the commitment to sustainable development set out in Towards 2016 and the National Development Plan 2007-2013. Moreover, the conclusions in the EPA state of the environment report and other evidence on environmental quality and trends should inform the drafting of development plans and be reflected as appropriate in their objectives and implementation.

The guidelines state that flood risk should be considered at relevant stages of the planning and development process and the aim should be to ensure that existing flood risks are either reduced or addressed and that new development does not individually or cumulatively give rise to new flood risks. My Department, in conjunction with the Office of Public Works, is preparing more comprehensive guidance on flooding and the planning system with a view to its issue for public consultation and finalisation next year.

The strategic environmental assessment carried out as part of the preparation and review of the development plan can help to bring environmental issues into sharper focus during the consultation process, and should improve the overall sustainability of the plan-making process by facilitating the identification and appraisal of alternative plan strategies, by raising awareness of the environmental impacts of plans, and by encouraging the inclusion of measurable targets and indicators.

Deputy Joanna Tuffy: I thank the Minister. The Environmental Protection Agency has called for county development plans to be climate proofed. The Minister has stated what is in place at present in terms of guidelines, that to which one must have regard, what local authorities should promote, etc. The problem with all of that is it is just too vague. There are no requirements on local authorities to ensure that climate proofing is taken into account in drawing up and voting on county development plans.

That problem was very much identified by the chairman of An Bord Pleanála at the end of last week when he spoke about——

An Leas-Cheann Comhairle: A question please.

Deputy Joanna Tuffy: I am informing the Minister that the chairman of An Bord Pleanála identified a problem. He stated that if councillors rezoned land on flood plains, for example, An Bord Pleanála might have to override those rezonings on the grounds that it would be on flood plains and that there may be issues of com-

pensation to the land developers. That is not good enough. There should be a mandatory requirement on councillors and county development plans not to rezone on flood plains. These issues are particularly related to climate change. There will be much more rainfall in the future. There will be more extreme weather events. For example, a few years ago Lucan experienced its worst flooding in 100 years. That type of flooding might happen every 50 years or 20 years in the future. The Department has quoted studies which state that there will be a 2% increase in temperature——

An Leas-Cheann Comhairle: A question please.

Deputy Joanna Tuffy: ——which will happen irrespective of what we do about reducing our emissions and such like. Therefore, there will be a real problem.

If the development plans drawn up in two years time include irresponsible rezonings such as those in the past which promote urban sprawl, all the Minister's carbon targets will be cosmetic if he will allow local authorities to continue to rezone without regard to the flooding and climate change consequences. What will the Minister do about it?

Deputy John Gormley: I must agree with the bulk of what Deputy Tuffy stated. Of course we require responsible planning. I listened carefully to what the Chairman of An Bord Pleanála stated. He was simply echoing what I have stated. The planners in local authorities are getting clear directions, namely, that at this stage it makes no sense to build on flood plains.

As Deputy Tuffy will probably be aware, as Minister I can intervene — I do so reluctantly — when what I might call “mis-zoning” takes place, and there have been examples of that.

It is clear that the planners at local level would be remiss if they recommended building on a flood plain. At this stage I do not think that anyone would do that.

Where the difficulty arises is that there may be irresponsible councillors who decide, for whatever reason, to proceed in this fashion and build on a flood plain. All of the evidence, from the EPA and others, suggests this is foolhardy. Indeed, Deputy Tuffy pointed out that in some cases in parts of the country there has been a 20% increase in precipitation and the risk of flooding has increased. Furthermore, as we build more, one finds that the hard surfaces mean there is less drainage and there is an increased danger of flooding. For all of these reasons in my meetings with local authority members we have stated that this is not the way to go.

Of course I can issue directives and I will be issuing planning directives. In fact, before Christmas I will issue new density guidelines which will take account of flooding risk.

An Leas-Cheann Comhairle: We move on to Question No. 37 in the name of Deputy Ciarán Lynch.

Deputy Joanna Tuffy: I had indicated.

An Leas-Cheann Comhairle: I am afraid we are one minute over the time.

Deputy Joanna Tuffy: I had indicated already.

An Leas-Cheann Comhairle: We are one minute over the time. There are six minutes allocated for each priority question and we have used seven. The way we are going, that means we will not get to the last one.

Register of Electors.

37. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government if he will correlate the census to the electoral register at a future date; the way he will reconcile the major discrepancies between the draft register of electors and the census figures in advance of the forthcoming local elections; and if he will make a statement on the matter. [28712/07]

Deputy John Gormley: In law the 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 the co-operation of the public, the accuracy and comprehensiveness of the register.

The compilation of the register and the carrying out of a census are different processes with different statutory requirements. In addition, there are usually significant timing differences between the census and the register, with the census being carried out once every five years and the register being compiled on an annual basis. Therefore, care needs to be taken in making comparisons between these separate processes.

In working to compile the register for 2007-08, which is currently in force, registration authorities undertook and completed the most extensive registration campaign in decades. On the basis of the work undertaken, registration authorities have achieved a significant improvement in the accuracy and comprehensiveness of the register compared to previous years.

My Department has advised authorities that the approach this year should be to maintain and build on the progress they have made to date. Looking ahead, the programme for Government contains a commitment to establish an independent electoral commission. The Commission's responsibilities will include taking charge of the compilation of a new national rolling electoral register.

Deputy Ciarán Lynch: It would appear that the Minister is saying that everything seems to be okay, and such is not the case. An article in *The*

Sunday Tribune this week showed quite clearly that the register is overestimated by 105%.

I take on board what the Minister is saying, that there is an extensive review under way at present. According to his Secretary General's information to the committee yesterday, there has been no change in the draft register figures. In fact, it shows that the same problems will arise.

Given that the census coincides with what is happening — I take on board the point that a census takes place every five years but there has just been one — and we are facing into the local elections, there is the opportunity to sort something out.

Even with the new figures, where I believe there is a drop of 32,000, the number on the register is still estimated to be 120,000 above the number of voters in the country. If we take the recent constituency boundary reports, that amounts to almost five Deputies on the basis that 25,000 people are represented by one Deputy. Therefore, there are either five too many Deputies or five too few Deputies, and this must be corrected.

There are three underpinning factors to do with the register of electors — completion, accuracy and security. Under any of those three criteria the current system is badly flawed. I acknowledge the Department is putting money into correcting it, but it is putting money into the same system and all that will create are more of the same problems.

Could we not look at this in a visionary way which has two aspects, that there is the system in which the register of electors is compiled and there is the method by which individual citizens engage with it? The system needs a massive overhaul involving a move from a household registration system to an individual registration system and the creation of processes such as the use of the PPS system, which the Minister supported in this House at an earlier time when he was sitting in a different seat.

The Minister stated that he will put together a national commission. Perhaps that makes sense because at present there are 34 local authorities trying to compile registers where there is no guarantee of standard, no measurement and no core funding, and local authorities respond to this in an *ad hoc* fashion. Would his Department now consider changing the system and engaging a process where the individual citizen is measured through the PPS system for the exercise of his or her franchise?

Deputy John Gormley: Deputy Lynch raised a number of interesting points. He is correct in stating that there is real inconsistency between many of the local authorities. I myself discovered that. Even in the compilation of the register, in whether it is available electronically and in how it is conducted, there is little consistency. I agree there is work for my Department in that regard.

[Deputy John Gormley.]

I hope many of these constructive suggestions being made can be fed into our idea for an electoral commission. It takes it away from my Department. I accept a loss of power is involved but most Deputies at this stage agree this is a most important issue and it needs to be addressed properly. The right place for that to be done is in a separate, independent electoral commission. I am drawing up proposals for the establishment of an electoral commission, the details of which will be debated in the House. I hope the very good ideas mooted by Deputy Ciarán Lynch will be fed into that commission.

It must be acknowledged that some progress has been made. There were huge discrepancies and over-estimations which are not acceptable. However, voting is not compulsory. People have a right not to be on the register and not to vote. A significant awareness campaign is required. Many people believe they are automatically put on the register. As a practising politician, Deputy Ciarán Lynch will be aware there is great ignorance on the matter. Many things need to be done and I hope the Deputy can feed his ideas into the electoral commission.

Deputy Ciarán Lynch: The Minister reminded me of the “Scrap Saturday” show when he referred to getting registered. Pat O’Connor found he was registered twice and voted twice in some election. It was a running theme on that show.

Deputy Phil Hogan: He was not registered twice.

Deputy Ciarán Lynch: From what I remember he voted twice anyway.

I take on board what the Minister said and I welcome the fact that he intends to put some direction on this matter. My question is when he intends to put the commission in place and whether he intends to provide specific terms of reference regarding the direction in which he wants the commission to go. All the independent reports show that if we keep spending money on our current system we are throwing good money after bad, because it will keep giving us what we got if we keep doing what we are doing.

Deputy John Gormley: Yes, I will produce terms of reference. Because this is such an important issue I would like an all-party approach to be taken, in the same way as I sought an all-party approach to the Green Paper on local government. Many of Deputy Ciarán Lynch’s colleagues sit on the consultative committee and do very good work. When drawing up the terms of reference I intend to consult broadly with members of the Opposition such as Deputy Ciarán Lynch so we can get the most important aspects included in the terms of reference.

Planning Issues.

38. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government the steps he will take to improve planning guidelines for planning authorities to address the phenomenon of the social segregation of immigrants in rapidly expanding new communities; if he will review the present planning guidelines; and if he will make a statement on the matter. [28885/07]

Deputy John Gormley: Development plans prepared by local authorities under Part II of the Planning and Development Act 2000 provide the over-arching strategic framework for development within their areas. It is mandatory for development plans to provide objectives, *inter alia*, for the integration of the planning and sustainable development of an area with the social, community and cultural requirements of the area and its population.

The plans are also required to provide objectives for community services. Part V of the Act requires, in addition, that planning authorities include in their development plans a housing strategy which must address the housing needs of existing and future population of the area covered by the development plan. Guidelines issued by my Department in 2000 in regard to Part V of the Act state, *inter alia*: “The strategy should encourage the development of mixed and balanced communities in order to counteract undue social segregation.”

In June 2007, my Department published guidelines for planning authorities on development plans. The guidelines recognise the changing demographic and settlement patterns in Ireland in recent years and state that development plans must set a clear vision for development while acknowledging and factoring in the wider economic, social and environmental trends.

The Government’s housing policy statement, *Delivering Homes, Sustaining Communities*, sets out a strategy to put the building of sustainable communities at the core of housing policy. The housing policy statement recognises that a sustainable neighbourhood is better able to support the social integration of different income groups and thereby provide a better means for newcomers to integrate and participate fully in Irish society.

I understand from my colleague, the Minister of State with responsibility for integration, that as part of the national action plan against racism, *Planning for Diversity*, the National Consultative Committee on Racism and Interculturalism has commissioned the Centre for Housing Research and University College Dublin to carry out the first major scoping study on issues related to housing and intercultural neighbourhoods in Ireland. The research will examine the possible implications of greater ethnic and cultural diversity for housing planning and provision and more

specific accommodation issues. To oversee this research, a broadly-based advisory group has been established, which includes my Department, Dublin City Council, the Reception and Integration Agency, the Equality Authority, the Northern Ireland Housing Executive, the Immigrant Council of Ireland, South Dublin County Council and the Vincentian Centre for Refugees. The study is due to be published in January 2008.

Deputy Denis Naughten: I thank the Minister for his response. The difficulty is that he is talking about scoping studies and advisory groups. The habit of the Government in the past ten years has been to produce report upon report and never implement action. Is the Minister aware that of the children who are leaving schools in Dublin 15, one third of them are being replaced by children from immigrant communities. There is a significant trend in parts of the country, especially in Dublin, for the phenomenon known as “white flight”. If we drag our heels on this issue, will it not be too late, as ghettos will already have developed? What specific action does the Minister intend to take to ensure that what is currently happening in Dublin 15 is not replicated around the country? We need action now, not in a couple of years.

Deputy John Gormley: We are already taking action. I highlighted previously to the Deputy in regard to Part V of the Planning and Development Act 2000 that what we wanted to achieve was proper integration not segregation. The problems Deputy Naughten referred to were identified as far back as the year 2000. We do not need to be alarmist about this issue. We have seen good integration take place.

I do not know whether Deputy Naughten listened to the President speak on the “Late Late Show”. She acknowledged the great contribution people coming to this country are making. One can look at some of the schools in my constituency where many immigrants have made a fantastic contribution and enhanced our country. I refer, for example, to a student from Synge Street who won the young scientist of the year award. If anything, immigrants are bringing up standards in many schools.

Too often we tend to highlight immigration as an issue that will result in doom and gloom, but that is not the case. We should see it very much as an opportunity. What we need are proper housing estates which have proper housing densities. I will issue new guidelines in the run-up to Christmas. This issue does not just involve the new communities, it involves everyone. We must ensure the provision of schools, child care, proper infrastructure and transport links in new housing estates because, otherwise, we will have the creation of ghettos, regardless of whether these people come from other countries or were born here. Let

us get integration right and let us get housing densities right.

Deputy Denis Naughten: I acknowledge what the Minister said in regard to what new communities coming from abroad bring to this country. However, is it not the case that Part V of the Planning and Development Act, which was enacted seven years ago in 2000, dealt with the issue of economic segregation? Is it not the case that in housing estates in places like Cloness, huge ghettos are developing? We need action on this issue now. What immediate steps is the Minister prepared to take in terms of publishing guidelines on that specific issue?

Deputy John Gormley: Economic segregation is already evident in many cases.

Deputy Denis Naughten: That is what Part V of the Planning and Development Act was supposed to address.

Deputy John Gormley: In many cases economic segregation has very little to do with planning, it relates to the fact that many immigrants are willing to do work which Irish people no longer want to do. If one goes to a filling station—

Deputy Denis Naughten: The Minister is avoiding the question.

Deputy John Gormley: I am not. That is the situation. The Deputy is confusing a number of issues. In terms of planning, the real issue is that we provide good planning — planning has to be paramount — that services are properly provided and that the proper densities are put in place. That is the way to go. There is no way one can put up a “whites only” sign as part of the planning process. That will not happen.

Deputy Denis Naughten: I am not proposing that but the Minister avoided it very well.

Social and Affordable Housing.

39. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government his plans to reform housing and local government legislation in order to provide more Part V social and affordable housing; and if he will make a statement on the matter. [28886/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): A review of Part V of the Planning and Development Act 2000, undertaken by my Department in 2002 in consultation with a wide range of interested bodies including local authorities and representatives of the house building industry, professional institutes and voluntary housing providers, concluded that greater flexibility in the operation of the Part V mechan-

[Deputy Batt O'Keeffe.]

ism was required. Measures to achieve this were contained in the Planning and Development (Amendment) Act 2002, which introduced a range of flexible options for compliance with Part V.

I am satisfied that the approach adopted has had a positive impact on the operation of Part V arrangements. From a position where just 46 homes were delivered under Part V in 2002, delivery has increased significantly since then, with close to 2,200 social and affordable homes coming on stream under the Part V mechanism in 2006. In total, up to the end of June 2007, over 5,300 social and affordable houses had been acquired and in excess of 5,000 units were in progress at that stage on foot of Part V agreements with developers.

I am satisfied that the Part V mechanism is operating effectively, evidenced by its significantly increased delivery of both social and affordable housing. While I have no plans to amend the legislation, I will continue to monitor closely the workings of the Part V mechanism to ensure they continue to meet the needs of the target groups for which they are designed.

Deputy Phil Hogan: I cannot understand the reason the Minister of State can be happy with the output under the Part V mechanism of the social and affordable housing scheme when 90,000 houses were built in 2006, 20% of that is 18,000 and the Minister got 2,400. First, why are we only getting slightly in excess of 2,000 houses under the Part V mechanism when we should be getting much more based on the number of houses built? Second, how much money has been collected by each local authority and what are they doing with it?

Deputy Batt O'Keeffe: I am pleased the Deputy asked me about the number of houses and the 20% because there has been misrepresentation of the facts regarding the 20%. One must understand that it does not apply to a development of under five houses, a development on lands of 0.1 hectare or to housing on land not zoned for development purposes. Voluntary housing bodies are excluded and there are some ten year planning permissions in force where the Part V delivery did not account for it. If there is delivery of, say, 75,000 housing units in 2007, 25,000 of those will be one-off housing and 10,000 will be made up of social and affordable housing. There is also the voluntary aspect and other issues involved. It is important to state that the type of figures that have been bandied about are not inaccurate and the progress to date has been significant. Does the Deputy want me to answer the question on the amount of money collected?

Deputy Phil Hogan: As of June 2007, €73.5 million was collected and is in the coffers of the local authorities. In many instances the developer

may propose to give money but the final decision is that of the local authority. Local authorities can give sanction. A preferred option for us is that they would get completed units; that is important. In fact, the overall acquisition of completed units represents 85% of the total number of affordable houses, which is a significant figure. In terms of the money that is now with the local authorities——

An Leas-Cheann Comhairle: I want to fit in a supplementary if I can.

Deputy Batt O'Keeffe: I want to give the Deputy a comprehensive answer. In terms of the money that is with local authorities, I have asked all local authorities for a report as of the end of 2006 on what happened with that money because they can use it to purchase and subvent affordable houses. They can use it to purchase land to develop social and affordable houses. I intend to monitor that. I have requested a report for 2006 and will request a further one in 2007 but I am satisfied that in 2007——

An Leas-Cheann Comhairle: Thank you, Minister. I will take a brief supplementary from Deputy Hogan.

Deputy Batt O'Keeffe: ——real progress is being made.

Deputy Phil Hogan: I thank the Minister for indicating he will ask the local authorities for explanations about all of the money in their funds because the low level of output is surprising. Has the Minister done any calculations on what is likely to be the rollout of affordable housing nationally in 2007 and 2008?

Deputy Batt O'Keeffe: A total of 3,216 affordable homes were produced in 2006. That was 20% up on 2005. Delivery in the first six months of 2007 was 5% up on 2006. A full year target has been set for the delivery of 5,000 homes in 2007, and we have a target of 17,000 for the period 2007-09. That is a high target but we are satisfied we can reach the target set out for us over those three years.

Other Questions.

An Leas-Cheann Comhairle: The Minister will have one minute and other Members one minute for supplementary questions, which is open to all Members.

Private Rented Accommodation.

40. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that 239 illegal evictions were carried out against tenants in the private rented sector in 2006; if he plans to bring legal protection

against eviction into line with international human rights standards; and if he will make a statement on the matter. [28620/07]

Deputy Batt O’Keeffe: I understand the figure of 239 relates to cases reported to the Threshold organisation and that it includes threatened terminations, the majority of which were forestalled. I understand also that where an illegal eviction occurred the matter was referred to the Private Residential Tenancies Board’s dispute resolution services.

It is considered that the provisions of the Residential Tenancies Act 2004 are compatible with international human rights standards as, in drafting the legislation, particular account was taken of the provisions of the European Convention on Human Rights. The 2004 Act provides significant improvement to tenants’ security of tenure based on a four year tenancy cycle and a significant increase in the length of notice related to the duration of the tenancy landlords are required to give to terminate a tenancy. Once a tenancy has lasted six months, it can only be terminated during the remaining three and a half years of the cycle for a limited range of specific reasons set out in the Act.

The Act sets out the rights and obligations of landlords and tenants, including the right of tenants to the enjoyment of peaceful and exclusive occupation of their dwelling. It specifies the circumstances and conditions under which a tenancy can be terminated, which must be in accordance with the provisions of Part 5 of the Act, including the form of termination of notice. The Act provides an effective means of redress through the PRTB in the event of illegal evictions. It takes a robust approach to illegal terminations, including provision for the holding of emergency tribunals and for interim or interlocutory injunctions through the courts where necessary.

The PRTB has been effective in responding to illegal terminations and implements a fast-track approach in the resolution of such disputes. The board can also award substantial damages for stress and disruption where this is warranted. I understand the security of tenure provisions in the Residential Tenancies Act 2004 are operating well, and there is no proposal currently for amendments to these provisions. It is a function of the PRTB to keep the operation of the legislation under review and to make recommendations regarding any amendments it considers necessary.

Deputy Aengus Ó Snodaigh: It is good to hear the PRTB believes it has a fast-track approach and that everything is going well. It is a pity nobody else in the sector appears to believe that. I do not believe, and I wonder if the Minister of State believes, that the PRTB is properly resourced to carry out its limited functions. If it is not, what steps will the Minister take to ensure it is properly resourced and that there is no wait-

ing period for people faced with eviction or for those who, in the event of illegal eviction, must wait far too long for redress from the PRTB? In many cases they cannot even manage to contact the PRTB by telephone.

That so many illegal evictions occur means landlords are not aware of their duties. Legislation must be strengthened and more action must be taken to ensure such evictions do not occur and security of tenure is reinforced instead of being put under threat, as is seemingly suggested here.

Does the Minister of State know how many landlords are registered with the PRTB as a percentage of the overall number?

Deputy Batt O’Keeffe: The number of private rented accommodations registered with the PRTB has increased dramatically from a few hundred in 2002 to approximately 200,000 in 2006.

This is an important opportunity to clarify the matters of the Threshold commentary and the 239 illegal convictions. Threshold agrees that, due to early intervention, most of the cases were resolved. In 2006, illegal eviction cases accounted for 1% of all cases received by the PRTB. To date in 2007, 56 of the 1,250 cases received by the PRTB related to illegal evictions. Anyone examining the new system sees that it produces decisions, is fair to the landlord and the tenant and is expeditious compared to court proceedings.

The PRTB is not under-resourced. Spending on its services will be approximately €3.8 million, in addition to which I have secured the funding necessary for the board’s move to its new headquarters early next year.

Local Authority Auditing.

41. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the reason local authorities are establishing new audit committees; and if he will make a statement on the matter. [28428/07]

Deputy John Gormley: Expenditure by local authorities is projected to reach €9.5 billion in 2007 and it is vital that the oversight of financial management and control systems in these bodies reflects best practice. Section 5 of the Local Government (Business Improvement Districts) Act 2006, which replaced the provisions in the Local Government Act 2001, provides a framework for the establishment by local authorities of audit committees with an appropriate structure and remit.

Earlier this year, all city and county councils were asked to set up audit committees and were provided with guidance on their role, functions and membership. I am pleased that progress in their establishment has been good. Some 15 city and county councils have set up audit committees

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while arrangements for their establishment elsewhere are being finalised.

The new audit committees will continue the ongoing modernisation of the finance function of local authorities. Improvements already in place include the change to full accrual accounting, the professionalisation of the finance function and a greater emphasis on risk management. A new costing system for local authorities will be implemented next year to ensure that services provided by the authorities are costed on a consistent basis.

The functions of an audit committee under the new provisions are to review financial and budgetary reporting practices and procedures within a local authority, foster the development of best practice in the internal audit function, review auditors' reports and special reports and assess follow-up action by management, assess and promote efficiency and value for money, review risk management systems and make such recommendations to the authority as the committee considers appropriate in respect of these matters. An audit committee will have an independent role in advising the local authority, but it will not have executive functions.

The new provisions allow for the inclusion of outside expert membership. They should generally have five members, including at least three external members and up to two serving or retired councillors. The chair of the committee will be selected by its members. In line with best practice, this will be one of the external members.

Deputy James Bannon: Local government is an essential element in any democratic state. It is the machinery by which important services are provided. Everyday when we get up and go outside our doors, we see the services put in place by local authorities, such as public lighting, road infrastructure, water services, sewerage systems etc.

An Leas-Cheann Comhairle: Does the Deputy have a question?

Deputy James Bannon: Each local authority has a local government auditor, director of financial services, a budget committee, finance committees etc. and each committee needs a secretariat. Are the new committees necessary? As additional staff are required to man the secretariats, will the embargo on local government staffing be lifted to accommodate their staffing requirements?

The public wants a better delivery of services. As more committees have been established within the local government system, I question whether Better Local Government is working. There may be too many directors of services in small local authorities. For example, an authority with a population of 35,000 may have as many

directors as an authority serving a population of 250,000.

How often will the audit committees meet and will there be secretariats to support them? Are the committees necessary?

Deputy John Gormley: If we are to hold local government to account financially, they are necessary. The Deputy referred to the significant role played by and the considerable expenditure involved in local government. From the budgetary process on which I have embarked, I know how important it is to have a proper local government fund.

We require efficiency at local government level. When I was a councillor, I saw expenditure on items I considered to be extravagances. Each Deputy who has served on a local authority will have seen such expenditure and wondered why the authority took that particular route. We can save money through the audit committees if they do their job properly. The idea must be considered and expanded upon.

I hope the House considers the new Green Paper on local government reform. People are examining in detail the possibility of expanding the audit committees' role. I hope this aspect will be addressed when we reach our conclusions in the Green Paper, which will be published shortly after Christmas.

Deputy James Bannon: All council members on the finance or budget committees are accountable to their electorates. They have done a good job to a large extent and one would not accuse elected members of wasting funding. They have a hands on approach to how their counties or cities should be developed. How often does the Minister expect the new audit committees to meet?

Deputy John Gormley: It will depend on what they are examining. The crucial difference is that the committees will include external members. Sometimes, if councillors were involved in decisions with expenditure implications, they could not adjudicate on their performance properly. I hope the committees will meet as often as necessary. When people are only in receipt of expenses and work is not properly remunerated, one cannot expect the same extent of work.

I did not answer the Deputy's question on the embargo. It is a separate matter, but it must be addressed if we are to have functioning local government. I want greater staff numbers. I was surprised that the same number of people is employed in local authorities as in the early 1970s. Given the population increase since then, this must be addressed.

Environmental Protection Agency.

42. **Deputy Jan O'Sullivan** asked the Minister for the Environment, Heritage and Local Government if local authorities, river basin districts and the Environmental Protection Agency

will be enabled to recruit additional personnel to ensure that river basin management plans are drawn up in time for their deadline of 2009 and to enable these authorities to put in place measures to ensure compliance of waters here with the water framework directive by 2015; and if he will make a statement on the matter. [28697/07]

54. **Deputy Paul Kehoe** asked the Minister for the Environment, Heritage and Local Government his views on whether the Environmental Protection Agency has adequate staffing and resources to perform its function effectively; and if he will make a statement on the matter. [28430/07]

73. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government the action he will take to address the need to allocate additional resources to the Environmental Protection Agency with particular emphasis on the need for these resources for monitoring and enforcement activities by the EPA in respect of IPPC and waste licensing; and if he will make a statement on the matter. [28702/07]

Deputy John Gormley: I propose to take Questions Nos. 42, 54 and 73 together.

The Environmental Protection Agency was established in 1993 under the Environmental Protection Agency Act 1992 and the range and complexity of the functions it discharges have increased significantly since then. The staffing, financial and other organisational resources available to the agency have expanded commensurate with its increased responsibilities. The agency's budget for 2007 is just over €52 million and this supports a staff of 295 following the sanction of an additional 40 posts in 2005. A major extension to the agency's headquarters in Wexford has also been approved. The staffing and other resources required by the EPA are kept under review by my Department, in consultation with the agency, particularly in the light of any additional functions the agency may be required to discharge.

The necessary staffing to deal with water management in river basin districts is drawn from the relevant local authorities and a co-ordination function is exercised by a designated co-ordinating local authority in each district. I am reviewing the overall employment position in the local government sector, having regard to the need to deliver frontline services and achieve value for money within the parameters of Government policy on public service employment generally. As part of this review my Department is consulting the Department of Finance on the current ceiling on local authority staff numbers, which I have just mentioned, including impacts in increased servicing requirements and other obligations in the local government sector.

Deputy Joanna Tuffy: If the Minister is considering doing something about the staffing embargo that is welcome. In an article in the current council magazine, *Council Review*, Mr. Ray Earle, a Dublin City Council manager of the eastern river basin district project, said the Department believes local authorities have enough staff to deal with this issue. Mr. Earle said local authorities do not have enough resources and there is an embargo on recruitment. He said staff levels are inadequate in all local authorities. This is a serious problem. The water supply has been polluted in places such as Galway. Something was recently reported about that. The cryptosporidium bacterium has serious health consequences. This is a major area in which we must take action. In complying with the water framework directive we have an opportunity to do something about water quality. Ireland has a major economic reliance on agriculture and tourism. If last year's problems in Galway are repeated it will cause problems for our tourism industry. The Minister must make a specific commitment. I would like the Minister to say he will give local authorities more staff to do their work in this area and that the EPA will have extra staff specifically related to this directive.

Deputy John Gormley: I intend to provide extra staff for frontline duties. One cannot artificially divide capital investment from current spending. Once one invests in, say, a state-of-the-art sewage treatment plant, which we require to comply with our EU commitments, one needs staff to run it. Ireland is ranked No. 1 in Europe for implementation of the water framework directive and I made that a priority. It means that by 2015 our water must be of good status. We can achieve that and it is vital. I am co-operating closely with my counterpart in the North, Ms Arlene Foster, because many of these river basin districts span the Border and it requires that level of co-operation. I agree with Deputy Tuffy that providing the EPA and local authorities with staff is a requirement. I must examine doing that in the context of budgetary constraints.

Deputy P. J. Sheehan: Is the Minister aware of the serious situation in Bantry town river basin whereby all the sewage exits on to the tidal basin, commonly known as the slob? Will Cork Country Council be in a position to recruit additional personnel to ensure plans exist to remedy this and meet the deadline of 2009? Will the Minister invite—

An Leas-Cheann Comhairle: That is beyond the scope of the question.

Deputy Batt O'Keeffe: It is beyond the scope of Deputy Sheehan.

Deputy P. J. Sheehan: It pertains to the environmental plans for 2009.

Deputy John Gormley: Deputy Sheehan knows I have been a frequent visitor to west Cork and Goleen, but it is a matter for the local authority.

Deputy P. J. Sheehan: The Minister should look at Goleen.

Deputy John Gormley: I hope to visit again some time and I am sure Deputy Sheehan will welcome me. It is a matter for the local authority in the first instance. I am happy to see what can be done. Under the water investment programme over €4.5 billion has been committed and we must continue with that job because we require good quality water by 2015.

Deputy P. J. Sheehan: Did the Minister say he will lift the embargo on Cork County Council to enable it to get more staff to carry out that work?

Deputy John Gormley: I did not say I will lift any embargo, but there is a commitment to providing frontline staff where required. We are working towards this for the EPA, my Department, NPWS and some of the local authorities.

Deputy P. J. Sheehan: If the Minister has not the will, he has not the way.

Deputy Terence Flanagan: I, too, am concerned about the quality of our drinking water and rivers throughout the country. It was inexcusable that people in Galway had to boil their water for weeks. It took a councillor from our party to drink a pint of water for the problem to be resolved. It is inexcusable that many farmers and factories get away with polluting water and we need more policing. We need more frontline staff and it is important that the Minister employs more people immediately. To have to wait until 2015 for the water framework directive to be implemented and our water supply to be brought into line with the rest of Europe is unacceptable. Can the Minister reassure people that the water they drink is of adequate quality?

Deputy John Gormley: Given the extent of the problems, 2015 is not far away. Our record on the implementation of the water framework directive is second to none. I have established a contingency fund under the water services investment programme so that local authorities can draw down funding if they have a problem with cryptosporidium or any other aspect of water quality. I agree with the Deputy and I have said before that it is unacceptable in a modern, European country that people have to boil water. I am committed to ensuring we have proper quality drinking water.

Deputy Ciarán Lynch: I would like some clarification from the Minister. He said there is an embargo in place but that he wants to have staff recruited for this area. Can the Minister explain to the Chamber if the staff will be recruited by means of redeployment, or will they be appointed

because of the expertise needed externally? Will he issue a directive, a memorandum, or some other indication to city and county managers on their position regarding the recruitment of staff in this area? Their hands are currently tied on staff recruitment, due to the embargo on the local government sector.

Deputy John Gormley: My Department is currently in negotiations with the Department of Finance on this issue. I have highlighted the need for extra staff in the critical areas of compliance and enforcement. These are my priorities for the upcoming budget. There is a necessity for extra staff in certain areas, such as the EPA, the national parks and wildlife section of my Department, as well as compliance and enforcement areas of local authorities. Negotiations are ongoing, but at this stage I cannot give a direct answer.

Deputy Ciarán Lynch: So the answer is no.

Deputy John Gormley: The answer is that negotiations are taking place and I am confident that we will get people, but I am not yet sure of the exact numbers. I will be happy to get back to the Deputy when I have the final figures.

Deputy Ciarán Lynch: So there is no directive.

Deputy James Bannon: Up to 30,000 tonnes of waste are not accounted for each year in this country. Can the Minister reassure the general public that this waste does not escape into our water supply system? What measures has he put in place to counteract this possibility?

An Leas-Cheann Comhairle: That is extending the question a bit.

Deputy James Bannon: Is he aware of the situation in south County Longford, where the water supply could be contaminated by inadequate sewerage treatment plants in several villages there?

Deputy John Gormley: I do not want to get into specific local authority areas. Members quite rightly have local concerns, but on a national level we are working towards achieving good quality water throughout the country by 2015. It was mentioned that such a date is a long way away, but I would be happy if we could get full compliance by that date. The water services investment programme that I outlined shows that significant investment is being made. It will continue for the foreseeable future. Through that investment, we will get better quality drinking water and better quality water for fisheries and bathing. We hope to achieve a better environmental standard overall.

Deputy Paul Kehoe: I have no doubt the Minister is aware of the great work being done at the

EPA headquarters in Johnstown Castle, County Wexford. Many people are employed there thanks to decentralisation, and it is a welcome addition to County Wexford and its economy. The EPA is under severe space restrictions there. Can the Minister confirm when construction of the new extension will begin? I have no doubt he is well aware of the space required, or that the EPA has regularly been in contact with his Department about the issue.

An Leas-Cheann Comhairle: This is a very important question.

Deputy John Gormley: Yes it is. I recently visited the place and Ms Mary Kelly, director of the EPA, pointed out to me the section that needed an extension and the importance of it. I cannot give the Deputy a specific start date for the extension. I told Ms Kelly that I recognised the importance of the EPA and the need to extend the building, which I also emphasised to the Minister for Finance. Unfortunately, I cannot give the Deputy a specific timeframe at this stage.

Deputy Paul Kehoe: Is anything holding up the process for the extension?

Deputy John Gormley: No. Several players are involved, including the Department of Finance, my Department and the EPA. I hope we get improvements in capital spending which would enable the EPA to continue its work, as well as in current spending which would enable us to get more front-line staff. Both of these are equally important. Once we get more staff in, we will require more space. Sometimes when facilities are provided, people are required to fill them. I hope we can make progress because the EPA is pivotal in guaranteeing better environmental standards.

Private Rented Accommodation.

43. **Deputy Aengus Ó Snodaigh** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that under the Residential Tenancies Act 2004, landlords are only permitted to raise rents once a year; if his attention has further been drawn to the fact that rents rose by an average 10% in 2006 with some people experiencing 20% increases; and the plans he has to rectify this situation by introducing a new system of rent caps. [28621/07]

Deputy Batt O’Keeffe: The Residential Tenancies Act 2004 provides that rents in the private rented sector cannot be set higher than the open market rate and that rent reviews cannot normally occur more frequently than once a year. Any tenant who considers that the rent sought exceeds the market rate or who has a complaint about a rent review can refer the issue to the Private Residential Tenancies Board for resolu-

tion. These and other provisions of the 2004 Act are based on recommendations of an independent commission on the private rented residential sector. The commission carefully considered and rejected all forms of rent control, which it found to have generally been counter productive.

The Central Statistics Office rent index indicates that rents in the private rental sector have increased by 12% in the 12 months to October 2007. However, the longer-term trend is relatively moderate with an annual average increase over the five years from October 2002 to October 2007 of 2.4% per annum.

It is a function of the PRTB to review the operation of the relevant legislation, particularly the provisions relating to rent, and to make recommendations regarding any amendments considered necessary. There are no proposals currently to amend the provisions relating to rent levels.

Deputy Aengus Ó Snodaigh: Threshold has stated that the poor were affected most by rent increases, particularly those dependent on social welfare payments. Those people will be squeezed out of the private rental market, but there is now a smaller social housing stock, so this will create overcrowding and homelessness. Will the Minister of State ask the PRTB to look again at the system of rent caps? There is an upward trend for rent, while the price of housing has dropped substantially, sometimes by up to 30%.

What steps can be taken to ensure that those who are availing of rent allowances do not have to top up in the black economy by paying cash to landlords? These people are under pressure because there is no other accommodation available to them. What steps will the Minister of State take to ensure that tenants are aware of their full rights for rent reviews under the 2004 Act?

Deputy Batt O’Keeffe: Rent is generally set on the open market. It has regard to the rents charged in equivalent properties in its area. If people feel that the rent is excessive, then they have the right to refer the matter to the board, which has the right to order a reduction in that rent. However, only 1% of all cases referred to the PRTB in 2006 dealt with rent, which is an interesting figure. If a cap was put on rents between 2002 and 2005, many of those in rented accommodation would not have benefitted from the serious reductions that took place. In other jurisdictions where caps were put in place, the experience has been that it has not worked in the interest of the person renting.

The Government is anxious that enough housing units are available. Up to 700,000 new housing units have been built in ten years which means there is adequate availability of rented accommodation.

Deputy Ciarán Lynch: The basis of the question is the issue of standards in the renting market. While landlords can increase rents, there is no measure to increase property standards because of the absence of a licensing system. Local authorities operating the rental accommodation scheme have informed me that when tenants move from rent allowance to the rental accommodation schemes, the properties available to them are not up to scratch. There is a standard in the rental market for rent allowance recipients. As Deputy Ó Snodaigh stated, the State is subsidising substandard properties and is party to these rent increases.

Does the Minister of State intend introducing a licensing system that will guarantee core requirements of whatever rent is set? Is he aware that with the roll-out of the rental accommodation scheme, properties being let out through the HSE do not have the same standards as those properties available to rent allowance recipients?

Deputy Batt O’Keeffe: The important issue raised by the Deputy is that of standards. The Department is anxious that the standard of accommodation is raised to improve the lifestyle of those renting. Recently, I increased the amount of funding to local authorities to examine rental properties and ensure they are up to scratch. There has been a significant increase in local authority inspections in 2006 with 9,835 inspections reported, an increase of 44% from 2005. I have allocated moneys on the basis of target inspections from local authorities. Local authorities putting an emphasis on inspecting private rented accommodation, ensuring it is up to standard, will be rewarded with more funding. There was a 50% increase in the amount of funding given this year.

The system of rent supports is a matter for the Department of Social and Family Affairs. An agreement was reached——

Deputy Ciarán Lynch: With respect to the Minister of State, when will he introduce a licensing system? Will he answer the question?

Deputy Batt O’Keeffe: ——and an increase that will take from mid-2007 to June 2008.

Deputy Ciarán Lynch: Will the Minister of State put the script down for a second and answer the question?

Deputy Batt O’Keeffe: This will be an adequate amount of money as deemed in this arrangement.

Deputy Ciarán Lynch: I got no answer to my question. I will keep my supplementary concise. Does the Minister of State intend to introduce a licensing system with regard to standards in the private rented sector?

Deputy Batt O’Keeffe: There is a system already in place that anyone renting private accommodation must be registered. If they are not registered, they are breaking the law.

Deputy Ciarán Lynch: On a point of order, that is a registration system, not a licensing one. They are two different matters.

Deputy Batt O’Keeffe: Accommodation that is not up to scratch should be reported to the Private Residential Tenancies Board, PRTB, which will ensure registration and that the property in question meets the required standards. If those are not met, penalties can be imposed by the board.

Deputy Aengus Ó Snodaigh: That is if they answer the telephone in the PRTB.

Deputy Ciarán Lynch: At the risk of being out of order——

An Leas-Cheann Comhairle: I would not want to encourage that.

Deputy Ciarán Lynch: ——and with respect to the Minister of State, he is either being evasive or he does not understand his brief. The point is that one system is registration and the other is licensing. When the PRTB was established, it deliberately avoided the licensing system. A licensing system manager may not be a role for the board but does the Minister of State intend to introduce such a system? If I leave a dog at boarding kennel over the weekend, it must be licensed for standards. However, it is not the same for rented accommodation. The State is ploughing millions of euro through the rental accommodation scheme and rent allowance but there is no set standard because of the absence of a licensing system.

Deputy Batt O’Keeffe: Obviously, the Deputy has not listened to the answer. It specifically states that it is a function of the PRTB to review the operation of the relevant legislation, particularly provisions relating to rent and to make recommendations and amendments that are necessary.

Deputy Ciarán Lynch: The Minister of State should stop being a public relations man and give an answer.

Written answers follow Adjournment Debate.

Adjournment Debate Matters.

An Leas-Cheann 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 Joe McHugh — if the Minister will outline the Government’s commitment to

decentralisation throughout rural Ireland; the Minister's commitment to retaining existing State jobs in peripheral locations and his commitment to providing additional jobs in these locations; (2) Deputy Olivia Mitchell — the imminent demise of the Feis Ceoil in the absence of a sponsor and the need for Government support to secure its future; (3) Deputy James Bannon — the need to outline what if any, plans are in place, for a cohesive policy to expedite the development of slurry generated electricity; (4) Deputy Deirdre Clune — the need to ensure the regeneration of the Cork docklands area is facilitated through tax incentives; (5) Deputy Leo Varadkar — noting the local electoral boundaries have not been reviewed since 1998 and noting the massive development that has occurred in many suburban areas and county towns in the interregnum, calls on the Minister for the Environment, Heritage and Local Government to appoint a boundary commission to redraw the local electoral boundaries in advance of the 2009 local elections; (6) Deputy Caoimhghín Ó Caoláin — the need to provide additional beds, isolation units and single rooms to combat the continuing spread of infections in hospitals; (7) Deputy Tom McEllistrim — that funding be provided to the Kerry network of people with disabilities to employ a project coordinator; (8) Deputy Ulick Burke — to indicate the reasons for the delay in publishing the conditions and guidelines for the implementation of the mid-Shannon tax incentive scheme announced in the 2006 budget; (9) Deputy Liz McManus — the need to ensure a full-time fire brigade in Bray, County Wicklow; (10) Deputy Simon Coveney — to outline progress in the approval for long promised and much needed refurbishment works at St. Angela's school, St. Patrick's Hill, Cork; (11) Deputy Pat Breen — that the Government's commitments in the State Airports Bill 2004 will be delivered; (12) Deputy Mary O'Rourke — if the Minister will outline fully all the arrangements being put in place for women from counties Longford and Westmeath who previously had been treated in Mullingar and who are now being told to present themselves to the Mater Hospital in Dublin; (13) Deputy Tom Hayes — whether the tax rebate system for diesel costs for scheduled bus services will be revoked as per a planned EU directive and if so, how long has the Government known about this directive; and if so, if an alternative system of funding will be set in place and what form it will take; and if the Minister can make a statement on forthcoming plans for this; and (14) Deputy O'Dowd — with reference to the letter from the Taoiseach to the Deputy, dated 8 November, to ask the Taoiseach to state to whom his Department first disseminated the summary of radio and television news and newspaper headlines on the Shannon-Belfast-Heathrow controversy and the date of same and to ask the Taoiseach to make a statement on the matter.

The matters raised by Deputies Ó Caoláin, Breen, McEllistrim and McManus have been selected for discussion.

Local Government (Roads Functions) Bill 2007: Second Stage (Resumed).

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

Deputy Terence Flanagan: There are enormous anomalies with the national vehicle driver file, NVDF. It is a database of national strategic importance as it contains details of the 2.4 million registered vehicles and 2.5 million licensed drivers in the State. It is critical to the management of the national motor tax and driver licence services, including the optimisation of services for the motoring public.

Recent disturbing reports in the media have highlighted the impact of uninsured drivers on road deaths and safety. *The Irish Times* recently reported 1,351 vehicles recorded as written off on the NVDF, were back on the road. Has the Department of Transport led investigation into this matter been concluded? If so, what recommendations were made?

Will the Government introduce a new non-national driver file to maintain a record of penalty points for those producing foreign driving licences following motoring offences? I am concerned about the type of accountability that will arise in the building of non-national roads. Will the Minister clarify who will be accountable if problems emerge in their construction?

With the amount of funding being transferred to the Department, I am disappointed the Minister did not address local government funding. Many reports have been published on local authorities but there has been no reform. City and council councillors believe they do not have much responsibility as it all lies with county and city managers. The National Roads Authority will not be as sympathetic as the Department of the Environment, Heritage and Local Government to the pleadings of local government. It is worrying that the NRA is not accountable to this House and does not reply to parliamentary questions about funding for various projects. Does the Minister plan to reform the way in which it engages with Deputies and councillors?

Although significant progress is being made on our national roads in my constituency of Dublin North-East there are some bad roads with severe potholes such as the stretch of the Howth Road from Sutton Cross to Howth. I have reservations about the transfer of responsibilities to the Department of Transport but I hope I may be proven wrong.

Deputy Pádraic McCormack: The purpose of this Bill is to provide for the transfer of functions relating to non-national roads and the national vehicle and driver file from the Department of

[Deputy Pádraic McCormack.]

the Environment, Heritage and Local Government to the Department of Transport. I am concerned about the implications of this transfer. Will the Department of Transport be able to deal with its new responsibilities? Will it fund non-national roads in the same manner as the Department of the Environment, Heritage and Local Government did? Some years ago the Government gave responsibility for national primary and secondary routes to the NRA but it is difficult to get a response from the NRA, which has no responsibility to local or national representatives. I oppose this further erosion of the powers of local government. Will we have any say in where this money will be spent? Local authorities will hand over responsibility for all roads to the Department of Transport but what will happen in the Gaeltacht and CLÁR areas where the Minister seems to have personal choice in the allocation of money for minor roads? There is no provision in Transport 21 for the maintenance or upgrading of national roads. Where will the money come from?

Up to 25% of drivers who incurred penalty points did not receive them because they did not hold Irish driving licences. Many of them hold British or European registration plates and can give two fingers to gardaí.

I recently read a report in a national newspaper about 1,351 written-off vehicles on the NVDF which were already back on the road. Has the Department of Transport concluded its investigation of this matter and will the findings be made public? It is estimated that 100,000 vehicles on the road are not insured. Do drivers of foreign registered cars without insurance get away scot free? Taking powers from the local authorities and transferring them to a Department which is hardly able to run itself is a step in the wrong direction.

Deputy Paul Kehoe: I welcome the opportunity to speak on this important Bill which is robbing Peter to pay Paul. The Department of Transport is not able to handle what is on its desk without having further responsibilities. People who pay car tax expect their roads or lanes to be in good condition at all times. I read in the newspapers at the weekend that the Minister for the Environment, Heritage and Local Government will raise revenue by increasing road tax.

Deputy Pádraic McCormack: Bicycles.

Deputy Paul Kehoe: Where will that money go? Will it stay in the Department of the Environment, Heritage and Local Government or will it go to the Department of Transport? Maybe the Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Killeen, will include a reply to that question when he concludes the debate.

The community involvement and local improvement schemes are underfunded. This is the case in my county and my Oireachtas colleagues speak about it. If the Department of Transport is going to look after everybody, as we are told, it should give more funding to these schemes.

The Government has often promised safety outside schools, an issue I have raised on many occasions. If the Departments of Transport and of the Environment, Heritage and Local Government are serious about road safety they should be serious about it outside schools. Thousands of kids come out of primary school daily. When these responsibilities are transferred the Department of Transport should urgently carry out a safety audit outside primary schools around the country, working with the local authorities.

I do not want to hear the excuse that the local authorities fall under the Department of the Environment, Heritage and Local Government. The Department must work closely with local authorities. There is no point referring us to the NRA. When I put down questions to the Departments of the Environment, Heritage and Local Government, or Transport about the Enniscorthy or Gorey bypasses or the New Ross river crossing I am told the NRA has sole responsibility for them. It is unacceptable that a Deputy cannot get some kind of reply from a Department which is spending taxpayers' money when a taxpayer wants me to get that information. I urge the Minister of State to ensure that roads for which people pay tax are kept in good order and that money is forthcoming for county councils.

Deputy Michael Ring: This is a serious step. The Green man has gone yellow by letting power move from the Department of the Environment, Heritage and Local Government to the Department of Transport. The environment and roads were always connected with local authorities and this is a step in the wrong direction.

The train service in the west is the worst in the country. I have been listening to Iarnród Éireann promise new trains for the past 20 years. The trains are dangerously overcrowded every weekend. This is a health and safety issue and it is time something was done about it. Thirty years ago when there was nothing in the country there was a dining car on the train from Westport to Dublin, now we cannot even have a trolley where people can get a cup of tea on a three and a half hour journey. What has gone wrong? We are going backwards and that is why we are taking these responsibilities from the Department of the Environment, Heritage and Local Government and moving them in to the Department of Transport. Last week I asked the Minister for Transport how many people had provisional licences for one, two or three years and he told me he had no responsibility for this. When we put down questions about roads the Minister takes no responsibility for anything. If he did he would not

be Minister for Transport but in any other jurisdiction would be out the door. I cannot understand why Ministers will not take responsibility. They talk about reform in the House but it is time we had real reform and that Ministers were accountable.

We have waited 20 years for the N5 from Westport to Castlebar and the Minister of State was there last weekend and had a joyous time. He saw

the traffic problems we experience
4 o'clock between Castlebar and Westport.

After ten years of planning and funding we were told by the National Roads Authority last week that a dual carriageway from Westport to Bohola is possible, but I will be drawing two old age pensions by the time such projects reach Westport. We wanted the Minister last week to announce funding for the N25 and N26 because it is needed. We are aware of the problems that exist and if the Government wants to build a dual carriageway that is fine but we want the funding in place first.

When we contact the Department of the Environment, Heritage and Local Government we will be told the matter is the responsibility of the Department of Transport. When we contact the Department of Transport we will be told it is not the responsibility of the Minister for Transport, Deputy Noel Dempsey, because he is no longer responsible for anything in this country.

Some discussions are needed in this House and one relates to the responsibilities of Ministers. The Minister for Health and Children, Deputy Mary Harney, is not really Minister as that position is filled by Professor Brendan Drumm. The Minister for Transport, Deputy Noel Dempsey, will not take responsibility. County managers in local authorities hold power but will not answer letters, though it is specified in legislation that they should. What will the Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Tony Killeen, do about this? When we were forced off local authorities the legislation stated that we would receive responses from local authority managers and officials within a reasonable timeframe. I now must contact the Ombudsman when I require a response and it is time for a debate on local authorities in this House.

Deputy Andrew Doyle: Why must I follow that contribution?

Deputy Pádraic McCormack: It will not pose a difficulty for the Deputy.

An Leas-Cheann Comhairle: Good luck.

Deputy Andrew Doyle: The Minister for Transport was Minister for the Environment and Local Government in 1999 when I was first elected to local government. I heard great pronouncements about local government reforms and, to his credit, some took place. However, one

of the key factors affecting the reform of local government autonomy is funding and, post rates, the major source of finance has been the local government fund; revenue that is supposed to come from drivers' licences and motor tax to be repatriated to local authorities.

In the intervening years, while the Minister took charge in other Departments, decentralisation was announced, certain services, including the health service, were re-centralised and the NRA was established. The latter has shifted more money and responsibility from the Department of the Environment, Heritage and Local Government and represents a two-step procedure to move all non-national roads into the remit of the National Roads Authority and from the remit of local authorities. It is very unclear where funding for local government will come from. Will the Department of the Environment, Heritage and Local Government provide it from the local government fund or will we establish a new fund from the Department of Transport?

The Department of Transport is already responsible for the national development plan and seems to be behind time and over budget on every project. If this is to be the new framework it is hard to be confident. The NRA chief executive has already acknowledged he will seek another €500 million from the Government, bringing his budget to €2.1 billion, to spend on roads projects in the national development plan. Will the projects in the national development plan that seem to take precedence over all else be topped up from local government, non-national road funding as established?

The port tunnel went over budget and completion of the N11 in Wicklow was delayed. People can say the delay was caused by many factors but one reason was that money for it was transferred. There are still ten miles of very dangerous roads. They are unfinished and no commitment has been made to address the issue until after 2010. Primary regional roads were funded as a priority in the context of the Department of the Environment, Heritage and Local Government's overview of non-national roads. If this responsibility no longer lies with the Department of the Environment, Heritage and Local Government, it seems all responsibility for the roads fund has left that Department and therefore local government representatives and officials will have no say in these matters. The key to this issue is funding. If local authorities do not have funding they will not be autonomous and will not be able to spend money on their roads.

We are in the dark on this matter. This is allegedly a technical transfer that is at the behest of the Department of Transport, but it seems there is more devil in the detail than is evident at the moment.

Acting Chairman (Deputy Seamus Kirk): I am sorry to inform the Deputy that his time has expired.

Deputy Andrew Doyle: I am having difficulty familiarising myself with faces given the change in chairman that has just occurred.

Acting Chairman: Time passes quickly.

Deputy Andrew Doyle: From where will local authorities receive funding? Will there be one, two or three streams of funding?

Acting Chairman: I call on Deputy Brendan Howlin and inform him that I will be calling on the Minister of State to speak at 4.15 p.m.

Deputy Brendan Howlin: I will not need that much time because I am multi-tasking today and will only make some brief points.

I am anxious to make a contribution to this legislation that was presented by the Minister yesterday as technical legislation, a minor matter so logical that it hardly requires debate. The Taoiseach had the same view on the Order of Business this morning and considered the subject so technical that it should be a matter of ministerial diktat, rather than require the scrutiny of this House.

I will focus on an aspect of this, touched on by Deputy Doyle, that causes me concern and on which I seek reassurance. On the face of it, bringing all road systems under one Ministry seems a logical thing to do but there are some difficulties with this, one of which was well rehearsed by my colleagues on the Fine Gael benches and by Deputy Ciarán Lynch yesterday. Local authorities have a wealth of experience relating to the development of county roads and the difficulty was always the lack of money to bring about such development. Local improvement schemes are a fantastic agent for dealing with roads that serve communities and families in isolated areas. The Department of the Environment, Heritage and Local Government's intimate knowledge of this area and its integration with the local government system makes it the obvious Department to deliver this type of small scheme.

In my experience the Department of Transport thinks on a grand scale in terms of metro and Luas systems, and motorways and smaller projects tend not to be on its list of priorities. The Department of Transport does not think in terms of boreens and small local improvement schemes nor access to individual households on the myriad of roads that exist in my county. The Minister of State at the Department of the Environment, Heritage and Local Government, Deputy Tony Killeen, comes from a rural county like mine, but if he visited parts of south County Wexford he could well get lost. One would not wish to be lost on some of those roads because, despite the best efforts of Wexford County Council, they are not

in the standard the rural community deserves. I believe that the proper home for those services is the Department of the Environment, Heritage and Local Government.

My greatest concern, however, is a different one. In my time in the Department of the Environment I established a programme called Better Local Government — in the local government system it is sometimes referred to as the purple book. Many people subsequently sought to interview me on the detail of that book. At the core of all the reforms was the proper funding of local government. I sought to have a ring-fenced system of funding established, but it was resisted by the Department of Finance, which abhors ring-fenced funding because it sees itself as the collector general and dispenser general of the State's fund. The notion that the Oireachtas would have the temerity to ring-fence any particular source of funding for a specific purpose is something that grates on its nerves. I know how difficult it was to establish this ring-fenced funding.

My concern about this proposal, logical as it may seem and confident as I am that the Minister for the Environment, Heritage and Local Government is well intentioned in it, is that it will strike at that ring-fenced funding for local government. We will soon see that the local government fund, which is funded significantly from the proceeds of motor tax, is being re-channelled through the Department of Transport. This weakens the argument that it is a local government fund. The bulk of local government funding is from motor tax but a chunk of that will now go from the local government fund to the Department of Transport. As a vehicle for delivering a funding mechanism to local government, the basis on which the local government fund was founded in the late 1990s is thus undermined.

I alert the Minister of State to this serious concern. I seek his assurances that the basis of funding to local government will not be eroded, that this is not the thin end of the wedge that will eventually lead to a significant shift away from this ring-fenced fund for local authorities. I am deeply concerned that it may be so.

We have all seen what has happened in regard to the administration of marine policy where it was seen as logical that all marine related activities should come under the remit of one Department. That has not worked, however, and we now have a situation where part of fisheries is in the Department of Agriculture, Fisheries and Food, inland fisheries are assigned to another Department and ports and port development to a third Department. It is a ludicrous way to go.

I seek the Minister of State's assurance that this provision will not undermine the local government fund. I am also concerned that this legislation will undermine the delivery at local level of strategically important but low-key programmes such as the local improvement scheme.

Deputy P. J. Sheehan: I thank Deputy Howlin for sharing time. This is an important Bill that will affect every road in my constituency of Cork South-West. The wrong Minister is driving the Bill through the House this last two days. Along with all my constituents, I want to know how this legislation will improve 1 km of road in Cork South-West. We do not even have 1 mile of national primary road but must make do with national secondary and non-national roads. We have the largest road network of any county. My county occupies one eighth of the territory of the State but we in Cork South-West have not had our rightful share of the cake for the past 30 or 40 years. Our rail service was decimated, the tracks pulled up and the bridges knocked down and sold to a Third World country where I understand the rail service has been running handsomely for the past 50 years.

I was not a Member of the house at that particular time but those who came before me were promised that the status of our road system in west Cork would be upgraded to national primary status. Some 50% to 60% of the regional roads have not seen a litre of tar or a shovel of chips in the past 30 to 40 years for lack of funding. How in heaven can the Minister now wash his hands of this? He is like Pontius Pilate, washing his hands of responsibility and handing it over to the Minister for Transport, a man who had no appetite to come in here to accept this legacy from the Department of the Environment, Heritage and Local Government. It is a sad reflection on ministerial policy to transfer blame from one Department to another.

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen): I thank Deputies for their contributions to the debate on this Bill. Before I address some of the points raised, I emphasise that the Bill is technical in nature. It provides the legislative framework to facilitate the transfer of non-national roads and the national vehicle driver file functions from the Department of the Environment, Heritage and Local Government to the Department of Transport. The transfer of functions will be effected by a transfer order to be made by the Government. Drafting of the necessary transfer of functions order is well advanced and the order will be made to coincide with enactment of this Bill.

Several Deputies raised issues in regard to responsibility for non-national roads at national level. I clarify that responsibility for non-national roads is not transferring to the National Roads Authority but to the Minister for Transport. The transfer of functions in this instance has nothing to do with the NRA. Deputy Ring and others who are concerned about accountability to the Dáil and the possibility of NRA involvement can rest assured that these functions are merely coming under the remit of the Minister for Transport.

Concerns were also raised about the future role of local authorities and whether they would have less power under the new arrangements. The position is clear. The Bill proposes no change in the powers and functions of local authorities in regard to the improvement and maintenance of non-national roads. Local authority powers are not affected.

Deputy Pádraic McCormack: How will they deal with transport?

Deputy Tony Killeen: Several Deputies raised issues about the level of funding for non-national roads. This year the fund is providing €520 million for this area. For 2008 and subsequent years, it will provide the same level of funding plus an element of the annual increase in buoyancy in motor tax receipts.

Deputy Howlin and others highlighted the importance of various road schemes and the relationship between the Department of the Environment, Heritage and Local Government and the local authorities. For example, issues were raised about the local improvement scheme. There has been a substantial increase in funding in this area in recent years.

Deputy Brendan Howlin: That is because the Department of the Environment, Heritage and Local Government knows what these schemes are. I am not sure the Department of Transport does.

Deputy Tony Killeen: Since the local government fund was introduced in 1999, annual allocations have increased from some €6 million to €30 million in 2007. This represents a 400% increase in funding in that time.

Questions were also asked about the management of the local government fund. Deputy Howlin also spoke about the need for improved local government and the ring-fenced system of funding. I assure Deputy Howlin and others that the Minister for the Environment, Heritage and Local Government will continue to have responsibility for the management of the fund. I also confirm that the full proceeds of motor tax and driver licence fees will continue to be paid into the fund. The Minister, Deputy Gormley, made it clear last night that the integrity of the fund will be assured into the future.

The local government fund will continue to provide significant funding to local authorities through general purpose grants. General purpose grant allocations from the fund to local authorities for 2007 totalled €948 million. This represents an increase of 8% over the record amount provided in 2006 and is an increase of some 180% over the 1997 allocation.

Several Deputies raised issues in regard to vehicle write-offs, penalty points and uninsured drivers. I heard Deputies Tuffy, Naughten, Crawford, Cyprian Brady and Kennedy speak

[Deputy Tony Killeen.]

about this yesterday, as did Deputies Flanagan and McCormack today. There has been some media coverage relating to vehicles that were deemed total write-offs by motor insurers but which subsequently returned for use on the roads, with the obvious implications for the safety and well-being of both vehicle owners and other road users.

The arrangements covering the treatment and notification of write-offs are currently being examined by the RSA, the Garda Síochána, and the Revenue Commissioners, which are responsible for the registration of vehicles, and my Department in its current role in respect of the national vehicle driver file. This examination will be concluded as soon as possible and any recommendations arising from it will be considered.

The national vehicle and driver file plays a critical role in the administration of penalty points. For persons who receive penalty points but do not have a driving licence, mainly non-nationals, the facility exists on the NVDF to create a skeleton record so penalty points can be applied and the notices issued. There are currently 122,000 such records on the NVDF.

Imposing penalties for road traffic offences on foreign registered drivers raises many legal, organisational and procedural issues, which make it very difficult for any one State to enforce such penalties. For that reason, the Department of Transport, which has responsibility for driver licensing, is pursuing this issue at European level, British-Irish level and North-South level, where mutual recognition and cross-Border enforcement possibilities are being considered.

Several steps have been taken in recent years to reduce the level of uninsured driving. The Garda traffic corps has been substantially expanded to improve compliance with all road traffic legislation, including motor insurance requirements. Legislation has also been put in place to extend the powers of the Garda to permit the seizure of uninsured vehicles. In addition, since the introduction of the penalty points system, 6,539 persons had received penalty points for uninsured driving up to the end of September 2007. It is also planned under the recently published road safety strategy to establish a system to ensure current insurance details for all drivers can be accessed in real time by the Garda to facilitate enforcement.

A number of Deputies referred to motor tax. In the 2007 budget, plans were announced to introduce changes to the current vehicle registration tax and motor tax systems to take greater account of environmental issues, in particular carbon dioxide emissions. The programme for Government reaffirms the commitment to introduce measures to further weight VRT and motor tax in favour of cars with lower emissions. Work on the matter is ongoing and a range of possible options is being considered. The Minister,

Deputy Gormley, will make an announcement shortly on motor tax.

I thank Deputies for their co-operation in facilitating early consideration of the Bill. Having been a Deputy who has welcomed the opportunity to speak on Second Stage on numerous occasions, I appreciate that it afforded Deputies the opportunity to raise issues of real concern to their constituents. Deputy Howlin, a former Minister, raised issues he would consider important as a result of his experience in a number of Departments and his concerns relating to the strong relationship between the Department of the Environment, Heritage and Local Government and local authorities across a range of issues.

I understand and have some sympathy with the concern expressed by some that functions would be transferred to the NRA. I will clear up that misconception because that is not the position. The functions are merely transferring to the Department of Transport, where I am confident they will be dealt with as sympathetically as was the case with the Department of the Environment, Heritage and Local Government and local authorities. We all wish this will be the case.

With regard to the integrity of funding, Deputies on all sides can be assured that the intention and effect of this legislation will be to leave the functions between local authorities and the Department directly. I appreciate the points made by Deputy Sheehan and others on other modes of transport, with railways being a case in point. We have cause to be somewhat happier than Deputy Sheehan along the west with the impending opening of the western rail corridor, but it is interesting to consider the developments and the significant move away from rail transport which occurred in the 1930s, 1940s and 1950s. It is imperative we move very strongly back in that direction.

I listened to the Minister for Transport, Deputy Noel Dempsey, speaking about the significant incremental increase in the number of cars on the roads, of which many of us are aware. An interesting offshoot of this is the extraordinary increase in the number of road journeys made by people to and from work. The average distance people travel to work has increased in the past ten years from about 7 km to a little over 15 km. The amount of travel people undertake relating to work has naturally increased exponentially as the number of people at work has increased from 1.1 million to 2.1 million, virtually doubling. People must get to and from work.

Returning to the point made by Deputy Sheehan, there is clearly a major opportunity to provide transport for people, particularly from dormer towns to centres of population and employment. That issue has been worked on with some success along the western corridor. Despite the difficulties outlined by Deputy Sheehan and his long-lamented contention that there is no national primary road in his constituency,

responsibility for roads across all the areas within the Department of Transport will facilitate better consideration of areas that do not have national primary roads.

The imperative arises somewhat more from issues relating to the road safety and the enormous difficulty successive Governments have faced in trying to address the number of deaths and level of serious injury that occurs on our roads. That is an element of the transfer and a matter with which all of us wish the Department well. We encourage all our constituents and others to play an active role in achieving such progress.

People can rest assured the Bill only provides the legislative framework for the transfer of these two functions from one Department to the other. People will not be dealing as a result of this legislation with bodies which are somewhat less accessible.

Question put and agreed to.

Local Government (Roads Functions) Bill 2007: Committee and Remaining Stages.

SECTION 1.

Acting Chairman: Amendments Nos. 1 to 3, inclusive, and 6 are cognate and amendment No. 4 is related. The amendments will be discussed together.

Deputy Ciarán Lynch: I move amendment No. 1:

In page 3, line 25, to delete “inserted” and substitute “as substituted”.

These amendments are to tidy up some contextual interpretation of what is happening, replacing the word “inserted” with “as substituted” as a substitution is taking place. I am keen to be informed by the Minister of State what approach his Department is taking on these amendments. Will they be accepted or is there a resistance to doing so? If there is such resistance, what are its grounds?

My motivation in putting these amendments before the House is to assist the Bill. Recently we witnessed that the intention of a Bill and the roll-out of an idea can be two entirely different concepts. My intention is to assist the roll-out of this and ensure the legislation as drafted and read is clear for comprehension and interpretation.

Deputy Pádraic McCormack: At the end of his speech on Second Stage, the Minister of State seemed to assure us there is nothing to worry about and the legislation only facilitates the transfer of functions from one Department to another. He has made clear his good intentions and assurances that there will be no other effect. If that is so, what is the purpose of the Bill? Was the Department of the Environment, Heritage and Local Government not doing the job right?

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen): The Minister outlined last night in his speech the rationale for the Government decision to transfer these functions. As I stated at the end of my summary on Second Stage, the functions relating to road safety, in particular, are a matter of very grave concern, as are the matters of having roads dealt with in one Department. That was the initial rationale for the decision.

I thank Deputy Ciarán Lynch for going to the trouble of trawling through the Bill and addressing issues of this nature. From my previous experience with Bills, I have often found technical amendments, when put before us and considered, sometimes present issues of considerable importance in terms of interpretation of legislation, should the need subsequently arise in the courts or in other circumstances.

We asked officials to take up this list of amendments with the Parliamentary Counsel. My initial reaction, grammatically, was that this was a case of substitution. The strong legal advice we have received from the Office of the Parliamentary Counsel is that the term “as substituted” is not used in this context and the terms used in the Bill are more appropriate to the situation.

Deputy Ciarán Lynch: I may press the amendment. I take on board the Minister of State’s response but the legal advice I have received tells me these amendments are accurate. I accept this has been through a lengthy drafting process and would consider withdrawing the amendment this evening if it was agreed to look at the issue on the next Stage so it can be debated and examined further.

Acting Chairman: Is the Deputy withdrawing the amendment?

Deputy Ciarán Lynch: If the issue can be raised again on a later Stage.

Acting Chairman: We will be moving on to Report and Final Stages after Committee Stage. Is the Deputy withdrawing amendment No. 1?

Deputy Ciarán Lynch: Amendments Nos. 1 to 4, inclusive, and 6 are all the same, with the words “as substituted” inserted. If the Minister of State has legal advice, I would be prepared to withdraw the amendments this evening. I would prefer to argue the more substantive point in amendment No. 5.

Deputy Tony Killeen: Just to clarify, the intention is to deal with all Stages this evening and the provision that would frequently arise, where I would undertake to look at the amendments before Report Stage, does not arise this evening because we are proceeding directly to Report Stage.

Deputy Ciarán Lynch: This comes back to the position this morning, when the Taoiseach said he wanted to fast-track this Bill. I would like to have seen the legal advice the Minister of State has but because of the processing of the Bill that is not possible. There is a deadline for the Bill this evening. I will not hold up the business of the House over one word but it is an unfortunate precedent, as was stated this morning, that simple amendments like this cannot be looked at and given time.

Amendment, by leave, withdrawn.

Amendment No. 2 not moved.

Section 1 agreed to.

SECTION 2.

Amendments Nos. 3 and 4 not moved.

Deputy Ciarán Lynch: I move amendment No. 5:

In page 6, between lines 26 and 27, to insert the following subsection:

“(4) Regulations made in whole or in part under section 12 of the Roads Act 1920 which relate to matters other than those referred to in *subsection (3)* and are in force immediately before or upon the coming into operation of the *Local Government (Roads Functions) Act 2007*, continue in force and may be amended or revoked in respect of those matters by the Minister for the Environment, Heritage and Local Government.”.

I would like a detailed explanation of this before I make a decision on it. My initial reading is that this was an omission from the Bill. The amendment clarifies the role and responsibilities of the Minister for the Environment, Heritage and Local Government and the intention of the Bill. Perhaps the Minister of State will explain this and give the legal advice he has received to the House as to why this should not be in it.

Deputy Tony Killeen: Under section 12(1) of the Roads Act 1920, the Minister for the Environment, Heritage and Local Government currently has the power to make regulations about changes in vehicle ownership and the issue, inspection and surrender of vehicle registration certificates.

The purpose of the amendment to section 2 is to provide a statutory basis for the Minister for Transport to make regulations in respect of the NVDF functions being transferred to him. If I understand the Deputy's concern, it is that the remaining functions under section 12(1) currently reside with the Minister for the Environment, Heritage and Local Government. I am assured the power to make regulations under the 1920 Act about all other elements that have not been

removed by section 2 remains with the Minister for the Environment, Heritage and Local Government. If I was to accept this amendment it would, *de facto*, restate superfluously that the remaining powers of the 1920 Act under section 12(1) are left with the Minister for the Environment, Heritage and Local Government. It is unnecessary and not advisable in legislation for a variety of reasons, not least clarity.

I assure the Deputy that I have checked this and I am sure the remaining functions under the 1920 Act that have not been removed by this section and transferred to the Minister for Transport still reside with the Minister for the Environment, Heritage and Local Government.

Deputy Ciarán Lynch: If the Minister of State understands my intention he will agree this is an omission and the amendment would clarify it. If it clarifies the matter and the Minister of State takes on board the need for clarification, we are in a catch 22 situation. If the amendment does not create harm, why leave it out when difficulties could arise if we do not include it? If the Minister of State can assure me that the intention of the amendment is covered in the Bill so we do not find ourselves back here in six to 12 months to amend the legislation, I will take his word for it.

Deputy Pádraic McCormack: Now is the time to clarify exactly what functions will remain with the Minister for the Environment, Heritage and Local Government. Many times in the past we have had to amend legislation that has been rushed through because of deadlines imposed under EU regulations. What will the Minister's functions be for secondary roads and the register of vehicles?

Deputy Tony Killeen: To answer comprehensively I would need a copy of the 1920 Act, which I do not have to hand. I undertake, however, to provide the information for Deputy McCormack.

I understand Deputy Lynch's concern, that the impact of the change in section 3 might be to leave none of the 1920 powers with the Minister for the Environment, Heritage and Local Government, but I have taken legal advice on the point and I have been assured that only the functions specified for transfer to the Minister for Transport will be transferred and all previous functions held by the Minister for the Environment, Heritage and Local Government are retained by him.

Deputy Bernard J. Durkan: Only a couple of years have elapsed since the then Minister, who is now the Minister for Transport, introduced a Bill before this House to abolish the dual mandate. He almost cried in the House, such was his dedication to the task before him and his sincerity regarding how in future, all matters that had been under the Minister's control previously and for which the Minister was accountable to the House,

would be answered and replied to in parliamentary questions in future. He was so devout in his dedication to that particular concept that he almost made other Members cry too. However, as other speakers have noted, that is not what happens at present.

I am worried about an emerging matter, namely, that the transfer of powers from one Department to another will eventually result in this House ending up as a kind of no man's land. Members will be talking to themselves, asking questions of themselves and being informed the Minister has no responsibility to the House and that whatever matter is in hand is not part and parcel of those powers that were transferred to another Minister.

I will repeat what I believe to be true as it relates to this issue. In recent days I received a letter from the Ceann Comhairle, who is sincere in his duty, telling me that an issue I raised was not appropriate and the Minister was not accountable to the House. However, he is accountable. A Minister is accountable to the House for any matter that he or she funds from his or her Department's budget to any subsidiary body and in respect of the general policy applied by that body thereafter.

While the following example does not relate to roads, it is highly pertinent. The Road Safety Authority took responsibility to make a policy statement in respect of the holders of provisional driving licences. Obviously the Minister was embarrassed by the alacrity at which the policy statement was taken and decided to pull the hand brake and perform a hand brake turn on the issue.

Acting Chairman: The Deputy should avoid going off on tangents.

Deputy Bernard J. Durkan: The Acting Chairman will find this to be a graphic example and if he allows me to finish he will be pleased with the manner in which I intend to put it.

The Minister correctly made the decision as to how the system would operate in future. The Acting Chairman knows I am correct in this regard. Having so done, Members are entitled to consider him to have correctly exercised his powers. However, what happened? I revert to the amendment. What will happen? There will be apologies to the effect that the Minister is not accountable to the House. The Minister is accountable outside the House. He can speak at local or national Fianna Fáil meetings or on RTE. He can speak to the local or national newspapers. He can speak to everyone.

Acting Chairman: Deputy Durkan is wandering from the amendment under discussion.

Deputy Bernard J. Durkan: However, this scenario is similar to the amendment in that it constitutes a transfer of powers to another body.

Members rightly query the meaning of this development. Does it entail a diminution of the entitlement of Members of the Houses of the Oireachtas to raise questions on any or all of these issues?

Deputy Tony Killeen: I am grateful to Deputy Durkan because his contribution has enabled me to find at least part of the answer to Deputy McCormack's question, which might be helpful. First however, I will respond to the point made by Deputy Durkan. The point was also raised by Deputies McCormack and Ring, as well as several others on Second Stage.

Deputy Bernard J. Durkan: I heard them.

Deputy Tony Killeen: It is important to bear in mind that the effect of this legislation is to transfer functions from one Department to another and not to——

Deputy Bernard J. Durkan: Oblivion.

Deputy Tony Killeen:——one of the bodies of which Deputy Durkan is clearly a great admirer. I can assure him on that point.

I have found a note on the 1920 Act. Under section 12(1) of the Roads Act 1920, the Minister for the Environment, Heritage and Local Government has power to make regulations regarding changes to vehicle ownership and the issue, inspection and surrender of vehicle registration certificates. In addition, the Minister for the Environment, Heritage and Local Government will continue to have power to make regulations pertaining to the issue of new motor tax discs in place of discs that have been lost or destroyed and so on. The issue that was of major concern to Deputy Ciarán Lynch centred on motor tax and the powers which, under section 12(1) of the Roads Act 1920, resided with the Minister for the Environment, Heritage and Local Government. I am assured they will continue to be held by him.

Deputy Ciarán Lynch: Unfortunately, the explanation provided by the Minister of State in this regard is less than satisfactory. Assurances differ from evidence and I wish to allow this amendment to stand. While I have withdrawn the others, this amendment should be put to the House.

Deputy Pádraic McCormack: I am now even more concerned since the Minister of State's clarification of part of my question. It now appears local authorities and their managers will be reduced to only having responsibility for issuing new tax discs to replace lost discs. What will be the destination for the money that will be raised from car tax in my county or any other? Will it be retained within the Department of the Environment, Heritage and Local Government? Will it be ring-fenced for the provision of non-

[Deputy Pádraic McCormack.]

national roads within counties? Will it go to the Department of Transport? Members have debated this legislation for a short time. It is vague regarding what will happen. The key issue for Members concerns how funding will be provided for non-national roads under the remit of local authorities in future.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Pádraic McCormack: Until now, the local councillors, who have intimate knowledge of non-national roads within their counties, could direct where funds might be spent. As this function will be transferred to the Department of Transport, will it be removed entirely from duly elected members of local authorities? A difficulty has arisen in the House that I foresaw when the dual mandate was abolished. At present, no Member is also a member of a local authority although many have great experience in this regard. However, it is possible that in a few years the House will be filled with individuals who have never been members of local authorities. Therefore, Members must take responsibility in November 2007 for what will happen in future if they allow this Bill to pass in the manner proposed without possessing full knowledge of what will happen or whether the Department of Transport will be answerable for expenditure to members of local authorities in future.

I will raise another issue that has not been clarified as this probably will be the Minister of State's last contribution. What will happen to the money that the Minister for Community, Rural and Gaeltacht Affairs, Deputy Éamon Ó Cuív, is able to throw out everywhere in Connemara and other CLÁR areas for the construction of roads? Will this power move to the Department of Transport and will some other Ministers be making such announcements on Galway Bay FM every day, rather than the Minister for Community, Rural and Gaeltacht Affairs? Alternatively, will he still have a budget to give money indiscriminately to any road he likes within his constituency, provided it is located within a Gaeltacht or CLÁR area? What is the status of the fund in question? Will it be transferred to the Department of the Environment, Heritage and Local Government? I raise this issue because some concerned constituents have already asked me questions about how I could allow such legislation to be passed without having such matters clarified.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Tony Killeen: On the last question, I assure Deputy McCormack that the legislation before the House has no negative implications or consequences for his constituency colleague, the Minister for Community, Rural and Gaeltacht

Affairs. He can rest assured in respect of this matter, which is of great concern to him.

Deputy Pádraic McCormack: I am delighted, as will be the Minister.

Deputy Tony Killeen: On the other point that he raised on the local government fund or, to be more specific, on the motor tax and driver licence fees, they will, as heretofore, continue to go into the local government fund, which will be administered by the Minister for the Environment, Heritage and Local Government.

Amendment put and declared lost.

Section 2 agreed to.

SECTION 3.

Deputy Ciarán Lynch: I move amendment No. 6:

In page 6, line 27, to delete "inserted" and substitute "as substituted".

I will be in a position to withdraw this amendment and amendment No. 7 in order to move the Order of Business on. The Minister can see that the intention of amendment No. 7 is to rename the citation of the relevant Acts. It encompasses the broader aspects of the Bill. What is the Department's interpretation of that amendment?

Acting Chairman: The Deputy may be anticipating a later debate.

Amendment, by leave, withdrawn.

Section 3 agreed to.

SECTION 4.

Deputy Ciarán Lynch: I move amendment No. 7:

In page 6, between lines 43 and 44, to insert the following subsection: "(2) The Roads Act 1920, the Roads Acts 1993 to 2001 and *section* 2(3) may be cited together as the Roads Acts 1920 to 2007."

I ask the Minister for an explanation of the point I mentioned earlier.

Deputy Tony Killeen: I thank Deputy Lynch for raising this issue. We have taken it up with the Office of the Parliamentary Counsel. The Roads Act 1920 and subsequent amendments to it — not all of which were contained in Roads Bills, as some of them were in Finance Bills, as Deputies Durkan, McCormack and others will be aware — were not cited together in the Roads Act 2007 which, if it was to be done, would have been the appropriate place to do it. The placement of a citation is not something we can do in a Bill of a technical nature such as this, since it

would normally be done in a substantive Bill. That opportunity was not taken in the 2007 Bill.

Amendment, by leave, withdrawn.

Section 4 agreed to.

Title agreed to.

Bill reported without amendment and received for final consideration.

Question proposed: "That the Bill do now pass."

Deputy Bernard J. Durkan: I do not wish to go over the ground I went over before, but I reiterate that it is with increasing concern that I note a gradual and inexorable drift towards a lack of accountability in the matter of legislation which confers or transfers new powers to different authorities. Ministers wish to hear or see no more about it after the day the Bill is passed in the House. It makes life extremely difficult for members of the Opposition in terms of accountability. One of the strengths or weaknesses of any Government is the degree to which it can be held accountable by the Opposition. While Ministers may feel this is to their disadvantage, it is actually to their advantage. The more accountable a Government, Minister or Department is to the Houses of the Oireachtas, the greater the chance of the Minister being a successful and authoritative one.

The Minister for Transport, Deputy Dempsey, will be glad to know I was congratulating him on his handbrake turn a few minutes ago before he arrived back in the House — in an oblique way, needless to say. It did at least assure everybody that the Minister was in control and responsible for what was going on and that he and nobody else was to decide on policy. In this he is correct. However, I would also like to see the Minister being accountable when we ask a question in the House about such a matter. This also applies to all other Ministers and Departments. Inevitably, everyone in this House has a period in Opposition and it is only when in Opposition that people really begin to understand how important it is to ensure that true democracy applies at all times and that every Department, Minister and Minister of State is accountable to the House. I hope I and my colleagues do not have to revisit this subject, but I will enjoy doing so every time there is an opportunity. Even when opportunities are limited I will still be prepared to raise it.

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen): On behalf of the Minister, Deputy Gormley, and myself I thank the Members opposite and on this side for their contributions, particularly Deputy Ciarán Lynch for putting much thought into his amendments. In the normal course of events I am well disposed

to amendments from the Opposition side but on this occasion, for the reasons I outlined, we were able to manage without them. It is helpful when people make constructive statements or contributions.

Question put and agreed to.

Transport 21: Statements.

Minister for Transport (Deputy Noel Dempsey): The second anniversary of the launch of Transport 21 has just passed and I welcome the opportunity to update the House on the progress made and to assure Deputies that the Government remains committed to delivering the programme in full. Many major projects, particularly on the national road network, are being completed on time and on budget. Construction is under way on many important projects, particularly on railways and major inter-urban motorways, while others are at the statutory approval stage, at design and planning stage or at public consultation stage.

Transport 21 is a major undertaking. It is the first time a Government here has agreed a ten-year financial framework for any sector of our economy and is also the first time a capital investment commitment of more than €34 billion has been made. Transport 21 identifies and prioritises the projects that will be completed within the ten-year period to 2015. There will be more to do after that period has expired, and in the programme for Government we have committed to preparing a follow-on investment programme for the period after 2015.

Deputies will be aware of the details of the Transport 21 programme. What I would like to do now is to update the House on some specifics of the progress so far and provide an outline of the further progress that can be expected in the coming years. The inter-urban motorway programme, with which most people are familiar, aims to upgrade the five major inter-urban motorways by 2010, and is on target for completion on time and within budget. The first route, the M1 motorway from Dublin to the Border, was completed earlier this year with the opening of the Dundalk to Newry scheme. Work continues on the other four routes, the N6, the N7, the N8 and the N9. Of a total of 738 kilometres on this inter-urban network, 313 kilometres are now open to traffic and 308 kilometres are under construction. All of the remaining projects have passed the statutory approvals process.

Since the start of Transport 21, a total of 21 national road projects have been completed, and a further four should be completed by the end of this year. Among these are a number of significant projects such as the Dublin Port tunnel, the Naas Road widening, the Mitchelstown relief road, the Mullingar eastern bypass, the Arklow to Gorey bypass, the Cavan bypass and, most recently, the Charlestown and Castleblayney

[Deputy Noel Dempsey.]

bypasses. Progress on road building is continuing at a very impressive pace and the NRA has 21 schemes under construction at present. The impact of these new and improved roads is evident and anybody who has travelled around the country in recent times will testify to the vast improvement in journey times.

Although we are only two years into the Transport 21 programme, significant improvements in public transport are also already apparent. Earlier this year, the first new railway station in Dublin city centre for more than 100 years was opened at Docklands. The new station facilitated the enhancement of services on the western suburban line and led, in particular, to a significant increase in commuter services to and from Clonsilla. January of this year saw the introduction into service by Iarnród Éireann of all 67 new Intercity carriages which it had acquired for operation on the Dublin to Cork line. The new carriages have allowed the company to introduce hourly clockface timetabling services on the route, and this has proved very popular, with customer numbers on the route increasing by more than 14% on last year. Iarnród Éireann is now on target to carry more than 3 million passengers on the Dublin-Cork route in 2007.

New rolling stock for the other intercity routes will gradually be introduced into service over the next two years, starting with the Dublin to Sligo services. The original plan to buy 120 railcars was expanded to 183. Some 42 have been delivered to date and the remainder will be delivered by the end of next year. The Portlaoise train care depot, which will provide maintenance facilities for the new railcars, will be completed early in the new year.

Construction work has begun on a number of important rail projects, the Midleton rail line, the first phase of the western rail corridor, the Kildare route project and the Luas extensions to Cherrywood and the Docklands. The expansion of the trains on the Tallaght Luas line is well underway and will be completed by mid-2008, increasing capacity by 40%. Eighteen new trams are on order and delivery will start by the end of 2008.

Other major projects have not yet reached construction stage but are progressing through planning and approval stage.

A railway order application has been made to An Bord Pleanála for the first phase of the Navan line, from Clonsilla to Pace, and it is hoped that the oral hearing will be held before the year end.

The Railway Procurement Agency has made major progress on metro north. The preferred alignment has been selected and issues raised in public consultation have been addressed. The PPP procurement process is well underway and the short-listed consortia will be invited to tender for the project in 2008. Preliminary consultation has taken place with An Bord Pleanála and a railway order application for the project will also be

submitted next year. The emerging preferred route for metro west was selected by the RPA earlier this year, following extensive public consultation.

Iarnród Éireann is also making excellent progress on its preparatory work for the rail interconnector between Heuston Station and the Docklands and it commenced public consultation on the alignment earlier this year.

The preferred alignment for the Luas line from Cherrywood to the Bray area has been selected and the remaining Luas extensions, phase 2 of the Navan line and phases 2 and 3 of the western rail corridor are at planning and design or public consultation stages. The RPA expects to be in a position to submit a railway order application for the Citywest extension before the end of the year.

Bus Éireann and Dublin Bus will take delivery of 435 new buses over the next two years. Approximately 266 of these will be deployed as replacement buses and 169 will be additional buses, increasing the fleet size and capacity of both agencies. Already, Dublin Bus has 50 additional buses in service, while Bus Éireann has 13.

I want to address some of the rather disingenuous recent claims in the media that the Transport 21 programme is suffering from insuperable delays due to the rescheduling of certain projects. The huge scale of the Transport 21 programme is such that adjustments to the time-scale for individual projects is inevitable. The estimated completion dates for some Transport 21 projects have changed since the original indicative timetable was published in November 2005. The original timetable was designed to set challenging targets for the agencies and was drawn up in the Department at a time when many of the projects mentioned were only at the very early planning stage.

Inevitably, within a programme of this scale, it will be necessary to amend estimated completion dates as projects develop. Final completion dates for projects will only be determined when the planning process and contract negotiations have been concluded. So far, it has been necessary to revise the indicative completion dates for some of the projects because of circumstances arising before construction, while other projects have been delivered ahead of schedule.

The projects completed ahead of schedule include the N2 Ashbourne bypass, by four months; the N15 Bundoran to Ballyshannon route, by three months; the N8 Mitchelstown relief road, by three months; the N21 Castleisland to Abbeyfeale route, by three months; the N8 Rathcormac to Fermoy route, by eight months; the N25/27 Kinsale Road interchange, by six months; the N6 Tyrrellspass to Kilbeggan route, by six months; the N52 Mullingar to Belvedere route, by one month; and the M1 Dundalk to Newry route, by three months. The Docklands railway station was also completed two years ahead of the Transport 21 indicative timetable.

The necessary revisions to the programme timetable have arisen for a range of reasons including changes to the scope of the projects arising from public consultation — I am sure nobody in this House would want us to ignore the views put forward and that has caused delays in some of the projects — planning issues which obviously cause delays, procurement issues and archaeological difficulties. However, I am confident that the implementing agencies can work through these issues and that Transport 21 will be delivered, in its entirety, within the ten years of the programme.

Rescheduling the construction timetables of certain projects has not impacted on the draw down of funds for the programme as a whole. As Transport 21 provides a ten-year financial framework, we have the flexibility to advance funds from projects which are delayed to those where there is the capacity to accelerate project delivery. This ensures the programme can deal with delays in some projects by accelerating others, thereby ensuring the overall delivery of the programme.

I am committed to ensuring that Transport 21 is delivered with absolute regard to value for money and industry best practice. My Department has launched a rolling audit programme to ensure best practice is followed and that all projects are compliant with the Department of Finance capital appraisal guidelines.

Robust monitoring procedures are in place, assisted by specialist consultants. There is regular progress reporting to Government. Information is also available to the public on the dedicated Transport 21 website, on individual agency websites, in the Transport 21 annual progress report and in regular newsletters.

My predecessor, Deputy Cullen—

Deputy James Bannon: Do not speak of him too often.

Deputy Noel Dempsey: —and myself have consistently indicated that, in the interest of achieving best value for money for the taxpayer, we will not release prematurely the costs of Transport 21 projects. My position on this remains unchanged. However, it is my intention to publish full information on the business case for major projects and the factors taken into account in making decisions on them in due course. This will be done when there is no danger that it will have a negative impact on the State's ability to get best value for money through the public procurement process. The basis for the Government decision will be transparent but it will be handled in such a way as to avoid compromising the State's commercial interest and, by extension, the interests of taxpayers who are paying for this.

All in all, I am satisfied with the progress made to date in Transport 21, while acknowledging that there have been some delays for valid and

unavoidable reasons. The ten-year programme is on target to deliver the projects identified. I will continue to ensure that every effort is made to complete projects in the shortest possible time-frame. The country needs this infrastructure quickly.

Transport 21 is not just about building new roads or public transport infrastructure. It is about improving the quality of life of our citizens and reducing commuter and travel times. Achieving these aims will be the main benefits of Transport 21. I look forward to reporting to the House and the Committee on Transport on a regular basis on the progress we achieve.

Deputy Fergus O'Dowd: Ba mhaith liom mo am a roinnt idir mé fhéin agus mo chara, an Teachta Bannon.

An Ceann Comhairle: Is that agreed? Agreed.

Deputy Fergus O'Dowd: On the question of credibility of Transport 21 and projects like the metro, there is a need for accountability here in a way that is different to that proposed by the Minister. I do not disagree with him on the issue of protecting the interests of the State and of the public procurement process, but I would like to see the Comptroller and Auditor General or another person or body independent from the political system audit these at a reasonable time so that it would not be merely a matter of taking the Minister's word — not that we would ever disbelieve what he would say — and that all of this would be benchmarked. There were significant overruns in previous road projects. I acknowledge the progress that has been made by the National Roads Authority in changing the process and keeping an eye much more sharply on the expenditure, but this side of the House would need independent benchmarking of this issue.

My colleague in the Seanad, Senator Donohoe, is particularly concerned about the potential for significant over-runs on the metro project. The Minister has taken a particular position. I acknowledge the integrity of protecting the public purse, but at the same time it is our job to make the Minister accountable and to have transparency outside of the political system. Perhaps this can be done through the Comptroller and Auditor General. I do not know who should do it but perhaps we can discuss the issue in a committee meeting and follow best practice elsewhere. As a party in Opposition, we must ensure that we have accountability and transparency as early as possible in projects and we should be as incisive as possible in regard to them.

Another question I wish to raise is the vision that is required for public transport, especially under Transport 21. I have been travelling to this House from Drogheda for almost 11 years. My travelling time is still the same if I travel by train although I accept the rolling stock is much better

[Deputy Fergus O'Dowd.]

and even though more people are standing, they are happier with the service which is running well and is on time. I left the town of Drogheda at 6 a.m. and encountered significant volumes of traffic, which would not have been the case ten years ago. Previously, I could reach Leinster House in an hour and 15 minutes by car. Now I would be lucky to get here in an hour and a half, and the journey can take up to two hours if I leave home between 7 a.m. and 8 a.m. On that benchmark it appears Transport 21 is failing.

I previously referred to park and ride facilities. Deputy Kennedy and I agree that we need park and ride facilities on the approaches to the city. We need a faster delivery of such facilities on the northern approaches to the city that I use myself.

The Dublin Transport Authority Bill was promised years ago. My researcher informed me that Fine Gael proposed to set up a Dublin transport authority in the 1980s, but it was abolished by Fianna Fáil.

Deputy Thomas P. Broughan: It was passed by the Dáil.

Deputy Fergus O'Dowd: The Labour Party went back into power and abolished it. We need to get a handle on Dublin transport. The Bill is sitting on the Minister's desk since it was finalised in April of this year. The Minister should shake his head again so it can be seen on the cameras.

Deputy Noel Dempsey: I am just——

Deputy Bernard J. Durkan: The Minister will get dizzy.

Deputy Fergus O'Dowd: The reason I want the Minister to shake his head again——

Deputy James Bannon: It is because of all the U-turns.

Deputy Bernard J. Durkan: And handbrake turns.

An Ceann Comhairle: It would be a lot worse if we heard him shaking his head.

Deputy Fergus O'Dowd: I agree with you. The reason I wanted——

Deputy Noel Dempsey: How come the Deputy did not see me nodding my head in agreement with him on the earlier point?

Deputy Fergus O'Dowd: We got a copy of the briefing the Minister received stating that the legislative work on the Bill was completed in April of this year. By the way, that was the day he got into office when he was not told about Aer Lingus.

Deputy Noel Dempsey: The Bill is not finished.

Deputy Fergus O'Dowd: If it is not finished the Department misinformed the Minister on that issue.

Deputy Noel Dempsey: They thought it was finished until I saw it.

Deputy Fergus O'Dowd: So the Minister is changing it. That is fair enough.

This is a key issue. The Ceann Comhairle and the Minister probably know more about this matter than I do but, from my perspective, the Bill has been in preparation for many years and it ought to be before the House where we will give it due and proper consideration. It is necessary to have the controlling interest of the Dublin transport authority with the regulatory powers to address any issues that might arise in terms of people fighting over their own patch. We need direction, control and a vision and until we have that Bill, we will not have these things. We, on this side of the House, are very happy for the Bill to come before us as soon as possible. Perhaps when the Minister responds he can indicate what is happening in regard to the Bill. We need this authority to be in place and until it is here we will not have a blueprint that can be acted upon to address transport issues, especially in Dublin. I hand over to Deputy Bannon.

Deputy James Bannon: I welcome the Minister. I am delighted to have an opportunity to speak on this important matter. Nearly every transport project due to be completed before 2010 under the Government's €34 billion Transport 21 plan is already delayed or late, depending on which spin is put on it by the Minister. It is emphatically predicted to miss its due date. We have evidence of that on several projects. The Minister referred to projects in counties Louth and Westmeath. It would not take a genius to know the latter project would be finished well ahead of the planned time. Anyone who knows the short stretch of road in close proximity to Belvedere would realise that.

So much for the Government's mantra of "on time and on budget". That was the tone back at the launch of Transport 21 which was accompanied by great fanfare. It is my bet the Taoiseach and the Minister wish to forget the catchphrase that must now be haunting them. With a puffed out chest and full of pride, the former Minister for Transport, Deputy Cullen, described Transport 21 as "my brain child". It is more of a no-brainer if you ask me.

The Minister does not need me to tell him the transport system is inadequate. That must have filtered through, even to him. We have seen a significant number of U-turns on the part of the Minister. He is spinning like a roth mór at this stage. The national spatial strategy and the development of the regional gateways to slow the growth of Dublin have failed miserably. The Minister would be aware of that if he had his ear

to the ground on this issue. Despite the national spatial strategy, apart from the Atlantic road corridor and a few regional projects, all routes still lead to Dublin.

In the previous national development plan the State was divided into two regions to ensure the maximisation of EU Structural Funds. Commitments were given that the BMW region would benefit disproportionately but this certainly did not happen. Once again, projects in the Dublin and east region exceeded its budget. The BMW region has lost out. Spending on roads in the BMW region is down by €500 million on promised funding with an overall investment shortfall of approximately €4 billion.

What has happened regarding the proposed upgrade of the N63 and the N55? They join numerous other roads that are examples of where the Government has failed to provide a 20th century infrastructure for the midlands. The N4 motorway from Dublin to Sligo will provide an essential motorway link to the midlands and the west and help to promote economic growth which is badly needed in this area. Some sections of the route have been upgraded to motorway or dual carriageway standards but the fact remains there is no timescale for the completion of the project. Question marks remain over safety given the number of bottlenecks that arise on this route.

I would not like to think access to Sligo would be left in the hands of Iarnród Éireann, whose reaction to the breakdown on the route at the weekend was a total failure of customer care, impinging on health and safety and showing an unbelievable incompetence and disregard for the well-being of passengers. Serious questions on this incident need to be answered by the Minister and Iarnród Éireann.

The midlands was totally overlooked in the proposals on Transport 21, with the resultant omission of essential works on what are some of the most dangerous roads in Ireland. These dangerous roads include the N55 between Athlone and Cavan, the N63 between Longford and Roscommon and an appallingly bad stretch between Edgeworthstown and Armagh, which poses a serious threat to the safety of the public. This route was referred to as one of the worst roads in the Thirty-two Counties.

One of the greatest omissions in Transport 21 was the Mullingar to Athlone rail link, despite assurances to the contrary from a former Minister for Transport from Longford-Westmeath, who got front page headlines prior to the general election for promising thin air. Nothing has been done to advance the reopening of that valuable infrastructural asset for the midlands linking two of the gateway towns, Mullingar and Athlone, by rail. In reply to my parliamentary question on the Minister's plans for the reopening of the line, he stated that the strategic rail review did not recommend the inclusion of the scheme in the list of new rail schemes or projects. He went on to emphasise what I already know, namely, that the

project is not included in Transport 21. The Minister might comment on the developments that have taken place since then. With all the huffing and puffing from the Fianna Fáil Deputies from the region, I would like to know the truth about that piece of infrastructure.

The Midland Railway Action Group has done incredible work on the reopening of the line but the lack of any real and meaningful Government support has hindered its efforts. The future development of the midlands is very much dependent on the provision of a commercial airport in the midlands. Abbeyshrule, which is in close proximity to where I live and has a small leisure airport since the early 1950s, with business ventures attached, is an ideal site for this development. Transport 21 overlooked that valuable infrastructural asset and despite local community activity, nothing has materialised. I ask the Minister to consider the development of that airport to commercial status because it would be important for the opening up of the midlands and for industry generally in the midlands. I wrote to the Minister's Department on several occasions regarding that important piece of infrastructure for the midlands but to date I have received negative responses. The Minister might again consider it because we are the only country in Europe without an airport in its midland region.

Transport 21 may not be the Minister's brain-child but since taking responsibility for it he has done little to advance its overall development. The slogan, "A lot done, more to do" must haunt the Minister. There is a lot more to do and I would welcome an update from the Minister on what will be acted upon in Transport 21.

Deputy Thomas P. Broughan: I am delighted to have the opportunity to make some comments on Transport 21 around the time of the second anniversary of its launch. The Transport 21 programme was launched with great fanfare by the Minister's colleagues, the former Minister for Transport, Deputy Cullen, and several of his ministerial colleagues including the Taoiseach, Deputy Ahern, the Minister for Finance, Deputy Cowen, and the then Tánaiste and Minister for Health and Children, Deputy Harney, on 1 November 2005. At that time the Labour Party spokesperson on transport, Deputy Shortall, welcomed the establishment of the ten year transport plan, particularly a number of its key proposals including metro north and west, the western rail corridor and the upgrading of the national inter-urban road network and the Dublin rail interconnector.

A key concern of the Labour Party at that time was the ability of this Government to deliver on the many promises contained in Transport 21. That concern was strengthened by the fact that most of the promises in the Government's earlier platform for change remained undelivered two years ago. It is hugely disappointing now that just two years later, those fears are coming to pass

[Deputy Thomas P. Broughan.]

and there are major question marks over the ability of this Minister and his Department of Transport to realise Transport 21 on time and in budget.

Last week I submitted a parliamentary question to the Minister, Deputy Dempsey, on the serious slippage now widely reported on many Transport 21 projects. The reply I received contained a litany of excuses from the Minister about delays which pointed to the poor management of Transport 21 by him, his Department and the former Minister, Deputy Cullen. The majority of projects due for completion between 2006 and 2009 have been either seriously delayed or will miss the original date of completion. According to this Minister, the scheduled completion date for metro north, for example, has now moved back to 2013 to “take account of scope changes made which arise from public consultation”. The Tallaght to Citywest Luas extension “has been revised from 2008 to 2010 to accommodate a longer alignment than originally planned”. The Connolly to Docklands Luas has also a revised completion date of 2009 rather than 2008 because of concerns of businesses in the International Financial Services Centre about the impact of construction.

Even more disturbing is that the initiative to link the red and green Dublin Luas lines has been stalled, with no deadline for the completion of that important project. I note the Minister did not mention that in his contribution. According to the Minister, Dublin Bus expressed serious concerns about the impact the preferred Luas alignment would have on its operations. The Minister went on to say that Dublin City Council is currently undertaking traffic modelling work as part of its examinations regarding the Luas city centre link and the further extension to Liffey junction, line D. We have had a litany of excuses as to the reason we have not moved on that important key development in Dublin city transport. The Minister’s response both to my parliamentary question and here this evening is astonishingly vague.

The construction timetable for the Cork commuter rail service to Midleton has been pushed back to 2009 at the earliest instead of 2008. As the Minister said, the construction timetable has yet to be finalised. In County Laois, the Portlaoise train depot will not now be completed until 2008 instead of 2007 because of planning issues, according to the Minister. He also reports that delays due to tendering issues on the Limerick southern ring road project have pushed its completion date back to 2010.

To refer to his own area, the Minister said that the completion date for part 1 of the Navan rail link has been revised back to 2010 due to what he said is a later than planned submission of the railway order application. How did that delay occur? Furthermore, the Dublin city centre rail resignalling project, which was expanded to include the Maynooth line, is resulting in a longer

construction period and now has a 2011 completion date.

We continue to move backwards with this Minister in regard to project after project. For example, construction starts on the M3 and M25 Waterford city bypass have been seriously delayed. We are aware of the position on the M3. Phase 1 of the M50 was to be completed this year but now will not be finished until late next year at the earliest. It is an astonishing list of missed deadlines and delays to the original timeframe of Transport 21. Serious questions arise about the ability of the Minister and his Department to deliver the programme within the timeframe. The programme rightly has a huge budget of €34 billion of public money given that our national transport infrastructure, including public transport, and the national rail structure has been greatly in need of significant investment for many years.

The Labour Party has long advocated a comprehensive and rigorously planned long-term programme of upgrading and maintenance of Ireland’s national transport networks but with such serious investment in Transport 21, the public must have full confidence that the programme will be carried out in an effective and efficient manner. Unfortunately, in the past two years we do not have evidence of that from this Minister in his Department.

In the light of that litany of failure, in United Kingdom terms, with respect to one or two departments there, we might ask if this Minister and his Department of Transport are fit for purpose. Can the Department carry out a fundamental remit given to it by this Oireachtas? In the previous Dáil responsibility for the marine was unnecessarily broken up and scattered throughout the Government, so to speak. Responsibility for ports and marine transport was added to an already large new Department of Transport, with a critical national mandate. Last night and today, further sections of the Department of the Environment, Heritage and Local Government have been removed from that Department into the growing empire that is the Department of Transport with responsibility for the marine. Since this Minister has taken the reigns of that Department, following the disastrous privatisation of Aer Lingus by his predecessor, Deputy Martin Cullen, we have had the Shannon and the learner drivers debacles. We are now entitled to ask whether that Department is capable of delivering this huge programme of vital national importance.

The Minister should provide a full explanation tonight of the overall management of Transport 21 by him and his Department since taking up the role of Minister. Most people would understand that one or two projects might encounter unforeseen difficulties in their implementation and the planning and consultation issues that arise but not the number of projects I have outlined. For example, will the Minister tell the House whether it is the case that the rail cars that I understand

were bought from Japan and Korea for the new Sligo rail line had to be shipped back for additional safety repairs? The Minister may know about it. Perhaps he will enlighten the House.

Deputy Bernard J. Durkan: Punctures.

Deputy Thomas P. Broughan: Recently, I suggested that the Joint Committee on Transport be given a strong invigilation role in respect of the new road safety strategy. The same process should apply to Transport 21. I will welcome the Minister's comments in that regard.

A key Government failure that has contributed to slippages and blockages in Transport 21, especially regarding the greater Dublin area, has been the ongoing fiasco surrounding the establishment of the Dublin transport authority. At the outset, the organisation was mooted as being Transport 21's key driver in many issues such as integrated ticketing and the green and red Luas link-up, but the plethora of transport bodies involved made implementing and co-ordinating policy proposals difficult sometimes.

In November 2006, the Government appointed the DTA team, which published a wide-ranging report on the DTA's recommended structures and establishment progress. The team was led by the eminent head of the department of civil, structural and environmental engineering at Trinity College, Professor Margaret O'Mahony. We believed that the Dublin and mid-east regions were to have an effective driver of transportation change at last, but we are no clearer two years on about the composition of the DTA, when it will be operational and what its role will be.

From speaking with different stakeholders since becoming my party's spokesperson, it is clear that no one in the transport sector is any wiser as to the Government's plans for the organisation's establishment. Since the group's report, the Government seems to have changed its mind. That a Minister announced the establishment of a major new agency, but floundered around for years until the Government changed its mind and rolled back is extraordinary. In the process, the previous Minister, Deputy Cullen, lost the group's head.

The Minister must explain to the House his plans for the development of the DTA. When will he introduce legislation, what will the DTA's role be and what will happen to the Dublin Transportation Office and the Railway Procurement Agency? There was considerable unease in the RPA when the DTA idea was pushed forward. Under the chairmanship of Mr. Padraic White, the agency delivered the two Luas lines on time. It got the Government — I was about to say "you guys on the Government benches" — through the 2002 election by putting a rail car outside Dáil Éireann. The Ceann Comhairle may remember that as he was probably photographed there.

Deputy Bernard J. Durkan: Suspended in time.

Deputy Thomas P. Broughan: The Tallaght line was delivered to Connolly Station in the face of ferocious resistance from vested interests.

The Labour Party has long been on the record as advocating a DTA placed on a statutory basis with the power to direct and implement policy across transport agencies and that is democratically accountable to the citizens of Dublin and its environs, but what of the other regions? For example, should the Ceann Comhairle's region in the south west not have a transportation authority? Is there a role for a national transport authority to oversee the development of Transport 21?

The policy has been an abject failure. My constituency includes the largest urban development in the history of the State, but it has been waiting for a new DART station at Clongriffin for more than four years. The unbelievable saga of the building of a simple DART station typifies problems in transport.

A disturbing new trend involves the disposal of valuable public lands owned by some transport agencies. Deputy Higgins has led the campaign to oppose the sale of approximately 14.5 acres at Ceannt Station in Galway for residential and commercial development. How can we promote an integrated and sustainable public transport system when we sell lands that could be used for significant transport developments, particularly in the growing city of Galway?

Deputy Bernard J. Durkan: Hear, hear.

Deputy Thomas P. Broughan: When Transport 21 was established, it had clear deficiencies beyond the failure to establish the DTA. It was disappointing that inadequate provision was made for new buses and quality bus corridors. Of particular regret to Deputies from the north side of Dublin was that plans to develop public transport facilities such as metro north for hard-pressed commuters would take seven years to go on stream. While I made strong submissions on behalf of constituents, the metro will not pass through my constituency. This is deeply regrettable, as Coolock would have been the best route. Nonetheless, my case was not accepted and the metro will pass through an area to the west.

Deputy James Bannon: There may be a crony there.

Deputy Thomas P. Broughan: I welcome the fact that the project will go to tender. I ask my Fine Gael colleagues to declare where they stand on the metro north issue because there is some confusion regarding their party's role.

Deputy Michael Kennedy: I am glad the Deputy said it.

Deputy Thomas P. Broughan: It seems a Fine Gael Senator believes the project should not proceed.

Deputy Bernard J. Durkan: Deputy Kennedy should be careful. Fianna Fáil tried wooing previously.

Deputy Thomas P. Broughan: We should build metro north post haste. Swords is a major city of 100,000 people and it has one of the planet's busiest hub airports. While eminent journalists such as Mr. McDonald of *The Irish Times* are running a campaign against the metro, there is a case to be made for it because it would provide vital regeneration in and a transport corridor for the city's north side.

For many years, people in the west of Dublin have asked for a DART line to Blanchardstown. Why was the line not electrified and why must we wait until 2009? Many citizens in Cork are disappointed that Transport 21 contains nothing for them. The Green Party, members of which are not present, advocated a fixed line public transportation system for Cork city.

Deputy Bernard J. Durkan: They are hugging trees.

Deputy Thomas P. Broughan: When will the Cork Luas project be brought forward?

Many innovative ideas have been tabled. Transport 21 includes Irish Rail's proposal for an interconnector to link Heuston and Connolly stations, but the timeframe is 2015. The Minister told the media that he would bring the date forward by five years, but the project is falling one year, two years or three years behind like other parts of the policy. In his response, will he explain to the House how he will fund the interconnector? I support the project, a good development that will become the backbone of the Dublin public transportation system, as stated by the former Minister, Deputy Cullen, at Transport 21's launch.

An Ceann Comhairle: The Deputy's time has expired.

Deputy Thomas P. Broughan: In the budget on 5 December, can we expect significant capital funding for the interconnector's development? We will look for it.

I am disappointed with the delivery of Transport 21. Are the Minister and the Department fit for the purpose and can they deliver? To date, the situation has been bleak. We are fed up with excuses, disappointments and delays. The Minister's job is to deliver. In line with the three strike rule, we want to see the Minister starting to deliver.

An Ceann Comhairle: Glaoim ar urlabhraí Sinn Féin, an Teachta Aengus Ó Snodaigh.

Deputy Aengus Ó Snodaigh: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom páirt de mo chuid ama a roinnt leis an Teachta Gregory.

An Ceann Comhairle: Tá sé sin ceart go leor.

Deputy Aengus Ó Snodaigh: Bhí nuacht diúltach ag an Rialtas arís an tseachtain seo caite maidir le Transport 21, an phlean mór a d'fhógraigh an iar-Aire Iompair dhá bhliain ó shin. Léiríodh don domhain cé chomh fada siar atá forálacha móra an Rialtas imithe. Ní bheidh scéim ar bith as Transport 21, nach mór, críochnaithe taobh istigh den am a shonraítear. Tá an Rialtas tar éis praiseach iomlán a dhéanamh den phlean, os rud é go bhfuil sé tite chomh fada siar. Tá athruithe sonracha déanta ar mórán de na dátaí críochnaithe a leagadh amach dos na tionscadail móra. B'fhéidir go raibh an Rialtas beagáinín rothapaidh chun an chaoi ina n-éireódh leo Transport 21 a chomhlíonadh a mholadh. Is dóigh liom gur ar bhonn polaitíochta agus toghchánaíochta a chuir an Rialtas an phlean seo faoi bhráid an phobail agus a ndúirt Airí go mbeidís in ann an phlean a thabhairt chun críoch. In ainneoin an méid a dúirt an Rialtas ag an am, tá formhór an phlean dírithe ar an ngluaisteán in ionad córais iompair phoiblí. Muna ndíreoidimid ar iompair phoiblí, cuirfimid leis an plódú tráchta agus loitiméireacht timpeallachta ata ag tarlú le tamall fada ar fud na tíre. Ní cheart dúinn bóithre a thógáil do gluaisteáin príobháideacha amháin. Le déanaí, táimid ag tabhairt cead do comhlachtaí príobháideacha bóithre a thógáil ionas gur féidir leo dolaí, nó tolls, a bhaint uathu siúd atá ag úsáid na bealaí úd.

In ainneoin an fás mór eacnamaíochta a chonaiceamar le roinnt blianta anuas, níl an Rialtas tar éis airgead oibríthe na tíre seo a chaitheamh i gceart. Bhí Fianna Fáil i gceannas ar na trí Rialtais is déanaí. Ba chóir go mbeadh córas iompair phoiblí againn a bheimid bródúil as. Ba cheart dúinn áiseanna taistil tapaidh, glan agus éifeachtach a bheith againn. Ní chóir go mbeadh sé ró-dhaor — ba cheart don chuid is mó den phobal bheith in ann íoc as turasanna bunúsacha. Dá mbeadh a leithéid de sheirbhís againn, bheadh i bhfad níos mó daoine sásta an chóras phoiblí a úsáid agus bheadh saol níos fearr ag a bhformhór. In ionad é sin, áfach, tá praiseach againn. Tá an córas ag titim as a chéile faoin brú leanúnach atá á chuir ar. Níl daoine in ann dul ag obair nó páistí a thógaint ar scoil ar an gcóras iompair poiblí de bharr an easpa pleanála a tharla thar na blianta. Tá tionchar ró-mhór ag gluaisteáin i bpolasaithe an Rialtais. Tá an Rialtas ró-dhíograiseach chun bóithre a thógáil.

Glacann gach éinne leis nach bhfuil córais taistil saor. Ní foláir dúinn airgead a chaitheamh orthu chun a bheith cinnte go mairfidh siad thar na blianta. Ní fiú airgead a infheistiú san earnáil iompair muna mbeidh saol fada ag an infrastruchtúr. Tá i bhfad níos mó daoine gafa i plódú

tráchtá, nó ag fanacht do busanna nach bhfuil ag teacht, in ainneoin an caiteachas atá déanta. Léiríonn sé sin go bhfuil an Rialtas tar éis caiteachas micheart a dhéanamh le tamall de bhlianta anuas. Caithfidimid athrú a dhéanamh. Tá seans fós ag an Rialtas beagáinín difríocht a dhéanamh. Más féidir linn díriú isteach ar roinnt de na smaointe atá i Transport 21, ba chóir duinn féachaint go háirithe orthu siúd a bhaineann le córais iompair phoiblí. B'fhéidir gur féidir linn iad a thabhairt i gcrích go hiomlán, gan bheith ag braith ar príobháidíú. Ba cheart dúinn déanamh cinnte de go bhfuil metro ceart againn, atá saor agus ar úinéireacht phoiblí ar nós Paris nó Zurich. Níl córas príobháideach, ar nós Luas nó a leithéad, á lorg againn. Ba chóir go rithfeadh an Stáit na córais seo ar fad, faoi comhlacht ar nós Córas Iompair Éireann. Tá sé in am dúinn bheith in ann an ticéad ceannainn céanna a úsáid an lá ar fad ar gach uile chuid den chóras taistil phoiblí — an Luas, an metro, an DART nó na busanna. Is scannal mór é nach bhfuil córas den shórt sin againn, ar nós na córais in a lán cathracha eile.

Aithnímid gur dheim an Rialtas beagán infheistiú i mbusanna na cathrach seo, ach níl go leor déanta go fóill. Tháinig an méid a dheim siad i bhfad ró-dhéanach chun difríocht a dhéanamh ar na fadhbanna tráchtá atá againn. Má táimid chun impí ar dhaoine a ghluasteáin a fhágaint ina dhiaidh, caithfidimid an loingeas bhus a dhúbailt thar oíche. Tá sé sin riachtanach chun déileáil leis an fás mór atá tagtha ar mBaile Átha Cliath. Mar a dúirt mé níos luaithe, ba chóir go mbeadh Bus Átha Cliath freagrach as na mbusanna go léir. Tá formhór na ndaoine i gCorcaigh, Luimneach agus áiteanna eile ag brath ar Bus Éireann — dá bhrí sin, ba chóir go mbeadh i bhfad níos mó busanna ag an gcomhlacht sin. Ní fiú láná bus a sholáthair muna bhfuil go leor busanna ann chun úsáid a bhaint astu. Tá mé tar éis roinnt stuif a chloisint le tamall anuas maidir leis na busanna nua. Tá seans ann go bhfuil na busanna nua a cheannaigh an Rialtas dainséarach. Tá súil agam go ndéanfaidh an Aire cinnte de nach bhfuil na busanna atá á úsáid ag muintir Bhaile Átha Cliath níos dainséaraí ná aon busanna eile. Chuala mé le déanaí go bhfuil fadhbanna móra ag baint le coscáin na mbusanna úd.

Tá praiseach iomlán déanta againn ar an M50 ó thús deireadh. Ní chóir go mbeadh dóla air. Bhí an mótarbhealach ró-cúng nuair a thógadh é i dtosach. Táimid ag déileáil faoi láthair le leathnú na bóithre, ach tá sé ag tógaint an iomarca ama. Ba chóir go mbeadh deifir ar an gcomhlacht atá ag déanamh an leathnú. Ní féidir le pobal Bhaile Átha Cliath — nó pobal na tíre, fiú, cé go n-úsáideann daoine ó gach páirt den tír an M50 nuair a thagann siad go Baile Átha Cliath — fanacht mórán níos faide. Cén fáth nach féidir leis an gcomhlacht úd a chuid oibre a dhéanamh 24 uair sa lá? Is tionscnamh mór millteanach é seo, a bhaineann le saol eacnamaíochta na tíre. Tá príomh-mótarbhealach na tíre faoi snaidhm de bharr an praiseach a dhéanadh agus ata fós ann.

Ba mhaith liom díriú isteach ar cúpla rud eile, ar nós córas iarnróid na tíre seo. Nílimid ag baint tairbhe iomlán as an eangach úd. Ba chóir dúinn níos mó infheistiúocht a dhéanamh san eangach sin, ionas go mbeidh níos mó traenacha timpeall na tíre. Teastaíonn uaim go mbeidh gach ceantar in ann brath ar chóras iarnróid atá éifeachtach agus poiblí, seachas bheith as brath ar trucaílí ag dul timpeall na tíre. Tá a fhios againn mar gheall ar an dainséar a bhaineann le trucaílí ag tiomáint trí bailte beaga.

Mar focal scoir, labhróidh mé faoi na seirbhísí taistil scoile. Ba chóir go mbeadh i bhfad níos mó busanna ann do pháistí atá ag freastal ar scoileanna ionas gur féidir linn impí ar tuismitheoirí a ghluasteáin a fhágaint sa bhaile agus an dainséar lena mbuaileann páistí agus iad ag dul ar scoil gach lá a laghdú. Ba cheart go mbeidís in ann dul ar bus chomh láithreach is a fhágann siad an scoil gach lá chun a bheith tógtha abhaile slán sábháilte. Tá a lán obair le déanamh. Ní creidim go bhfuil an Rialtas in ann an obair seo a dhéanamh i gceart sa chaoi atá riachtanach san am amach anseo.

Visit of Uruguayan Delegation.

An Ceann Comhairle: Ba mhaith liom anois céad míle fáilte ó chroí a chuir roimh troscuireacht ó Poblacht na hUrúgá atá sa Dáil inniu. Before proceeding with business, I wish on my own behalf and on behalf of the Members of Dail Éireann to offer a céad míle fáilte — a most sincere welcome — to a delegation from the Republic of Uruguay led by his Excellency, Mr. Enrique Pintado, Speaker of the House of Representatives. I hope the delegation will find this visit enjoyable and successful and that it will be to our mutual benefit.

Transport 21: Statements (Resumed).

Deputy Tony Gregory: Ba mhaith liom buíochas a ghabháil don Teachta Ó Snodaigh as ucht roinnt nóiméad a thabhairt dom. Tháinig mé isteach chun ceist a chur ar an Aire, ach tá sé imithe anois. Níl fhios agam an fiú an ceist a chur, ach de réir cosúlachta beidh an Aire Stáit sásta an méid atá le rá agam a chur in iúl don Aire.

I wanted to take the opportunity to draw the Minister of State's attention to one aspect of Transport 21, to which the Minister has more or less admitted he is not fully committed, in spite of older absolute commitments by the previous Minister. I refer to the extension of the Luas to the north side of Dublin along what is known as the Broadstone line, from the city to the Liffey Junction. There is an absolute commitment to extend the Luas by 2012 on that old line, which had been derelict for 70 years. There was some uncertainty about this under the then Minister for Transport, Deputy Cullen, who later made it clear that he was committed to it and that it would happen.

[Deputy Tony Gregory.]

Unfortunately, in Dáil replies to me the current Minister stated that a commitment to the strategy as set out in Transport 21 remains, unless independent consultants confirm that there are strong strategic transport and operational arguments that require consideration of an alternative use. Given the Railway Procurement Agency has already started its work to achieve this section of the Luas for the north side of Dublin, and given the fact that the Broadstone line is the only major public transport access route for the billion euro Grangegorman development of the new DIT campus, I think the Minister needs to be educated on what is required for the regeneration for the north side of Dublin city centre. Providing a Luas along that line into the Grangegorman redevelopment area is absolutely critical. Any talk about other strategic interests is a nonsense. I am incredulous that the Minister would waste public money in employing consultants at enormous expense to look at the possibility of an alternative strategic use for the Broadstone line. Anyone who knows anything about the regeneration and the renewal of the north side of Dublin city centre knows that public transport is absolutely critical.

I listened carefully to the Minister's statement today when he spoke about the different commitments under Transport 21, but he did not mention this one. He did not mention the controversy that is raging outside. The Railway Procurement Agency, which was charged with the project, was not even informed that consultants had been employed to look at a possible alternative strategic use. I hope that the issues raised will be brought to the attention of the Minister and that he replies to them.

I wish to conclude by congratulating the residents of Drumcondra, who achieved the impossible in getting the RPA to realign its route for metro-north away from the most residential part of Drumcondra and into open space. It was a terrific achievement and the residents deserve recognition for it.

Deputy Michael Kennedy: Tá mé lán sásta labhairt ar an ábhar seo. I welcome the opportunity to speak on this report on Transport 21. Never before in the history of this State have we had such an ambitious programme for transportation. Spending €34 billion over a ten year period is significant and it will revolutionise transportation modes for every citizen in this country. Most reasonable people acknowledge the significant progress that we have made in road construction. When travelling around the country, it is a pleasure to use bypasses instead of getting stuck in different towns and villages. In my own constituency, the M1 motorway, the N2 and the port tunnel, which I use coming into town from Swords everyday, are marvellous roads. I would personally love to see greater car usage of the port tunnel and I will suggest to the Minister that

the charge be reduced to allow a greater use. It will stop congestion in other areas and will significantly reduce CO₂.

I had the pleasure two weeks ago of attending the SDLP conference in Armagh. It was great to listen to people up there telling us that the M1 motorway was a fantastic road. When I drove north of the Border I was on a single carriageway. Everybody should recognise these improvements.

For those on the other side of the House who are not good at maths, I will try to break down the €34 billion into simple language.

Deputy Bernard J. Durkan: We will teach the Deputy about maths very shortly.

Deputy Michael Kennedy: They have certainly got their facts wrong on the metro-north project. Breaking down €34 billion equates to €9.4 million per day over ten years. I think the Deputy might understand that.

Deputy Bernard J. Durkan: It is difficult to understand how it is being spent.

Deputy Michael Kennedy: There will be 175 million extra public transportation users, including 75 million extra suburban rail passengers. The metro system will take us from the city to the airport in 17 minutes, rivalling our counterparts in London and Paris. There will be 80,000 more bus passengers per day, with 169 extra buses coming on stream in the next few years.

Deputy Bernard J. Durkan: That is called pie in the sky. It has not been achieved yet. It is futuristic.

Deputy Michael Kennedy: It is not pie in the sky. It is reality.

Deputy Bernard J. Durkan: The Deputy is suffering from post-election stress.

Deputy Michael Kennedy: Let us wait and see over the next couple of years. The Luas and the metro will be used by 80 million passengers; some 30 million people are already using the Luas. It proves the point that people use good public transportation systems, and I have no doubt that the metro will be the same. Creating park and ride facilities is an important component of Transport 21. We must endeavour to keep cars from congesting our cities. If park and ride facilities were provided on the outskirts of the city, people would use public transport.

Deputy Broughan spoke about delays in his speech. He is the first person to jump up and down when the public is not consulted, yet it was interesting to listen to Deputy Gregory thanking the Minister and the RPA for listening to the people around Drumcondra—

Deputy Bernard J. Durkan: Fair play to Fagans.

Deputy Michael Kennedy: —and for realigning the metro. That is the reason for the metro being a couple of months behind schedule, if it is behind schedule at all. Those who are negative in their criticism should recognise that the Government would be criticised if it did not listen to people via public consultations. At the end of this ten-year period, everyone's quality of life throughout the country will have become significantly better.

Initially, the metro north line was only planned to go to Dublin Airport. I am proud I lobbied for it to be extended to Swords. The metro project will be a vital component to Fingal
6 o'clock County Council's plans to increase the population of Swords to 100,000 and make it a city. I congratulate the role played by Fingal County Council management and councillors in bringing the metro project to Swords.

The benefits of the metro will be recognised, particularly with 19 minute travel times between the city and the airport when a similar journey by bus can take up to two hours. When the metro is up and running, it will take 41,000 cars off the road, a major benefit, and carry 34 million passengers annually.

Many criticised the Luas service for its lack of capacity, but it has responded to this. There have been major improvements on most of Dublin Bus services. That is not to say we do not want more improvements. Transport 21 will deliver 170 extra buses and north Dublin, which has the fastest growing local authority area in the country, if not in Europe, needs a significant portion of them. When the Luas, metro and DART extensions are in place, along with extra Dublin Bus services, we will have a magnificent public transport system.

The economic benefit of such a transport system to the greater Dublin region, particularly to north Dublin, will be significant. Many new jobs will be created and services will be established in north Dublin, allowing people to commute to north Dublin rather than the city. I look forward to the RPA making its railway order next year and moving a step closer to getting the tendering process in motion.

I take issue with a Fine Gael Party Senator who has been critical of the metro project. He has decried the metro project in debates in the Seanad and on national television, claiming it should not be constructed.

Deputy Deirdre Clune: He has raised the question of its costs.

Deputy Michael Kennedy: It is ludicrous to suggest the metro project should not happen.

Deputy Deirdre Clune: He is not objecting to it; it is the costs he is questioning.

Deputy Michael Kennedy: No one in the north Dublin region does not want a metro. It is badly needed. To have prominent Fine Gael Members

claiming the metro project should not happen is ridiculous.

Deputy Bernard J. Durkan: My heart goes out to the Deputy.

Deputy Michael Kennedy: To describe it as disingenuous would be an understatement. It is ridiculous to suggest we should tell the price the Minister expects to those companies tendering for the project. As an insurance broker, it would make my job and that of my staff easier if potential clients told us the price we could be up against.

An Ceann Comhairle: The Deputy's time has expired.

Deputy Bernard J. Durkan: Sadly, the Deputy will not be able to continue ridiculing Fine Gael.

Deputy Michael Kennedy: I suggest the Fine Gael Deputies opposite inform their colleague that the people of Dublin city want a metro transport system.

Deputy Pat Carey: Hear, hear.

Deputy Deirdre Clune: Senator O'Donoghue has rightly questioned the potential costs of the metro project as no one quite knows what it will entail. The metro is necessary for north Dublin as the rest of the country becomes dependent on Dublin Airport, which is another debate.

Deputy Michael Kennedy: Will the Deputy muzzle Senator Donohoe and others?

Deputy Deirdre Clune: I will pass on the Deputy's comments.

This is the second anniversary of the Taoiseach's announcement to build a world-class transport system for the 21st century on time and in budget. There have been criticisms of many projects of Transport 21, some of which are behind schedule.

I welcomed the launch of Transport 21 as it placed an important and large emphasis on public transport, particularly if we are to reduce our overdependency on the car. Between 1990 and 2005, fossil fuel consumption in the transport sector grew by 150% while energy efficiency in the sector only improved by less than 1%. The transport sector was responsible for 33% of CO₂ emissions. When considering carbon taxes, it is an area that must be considered. It is essential we invest in public transport to give people alternative commuting and travelling arrangements, as exemplified by the success of the Luas service. The Luas service is efficient and relatively inexpensive in moving large volumes of people. It needs to be extended to other parts of Dublin.

It is a welcome development that the Cork-Dublin rail route has a train service on the hour, every hour, while the Dublin-Cork route has a

[Deputy Deirdre Clune.]

train every half hour. Many were sceptical when it was announced. Those involved in it and working in Irish Rail say that it has increased passenger numbers which shows that people will use a quality product that is clean, on time and well run. That is how one attracts customers. Parts of the motorway between Cork and Dublin due to be completed in 2010, have opened, such as the Mitchelstown and Cashel bypasses, and have reduced the journey time from five hours to three and a half or four hours.

There are three options for travel between Cork and Dublin, a flight with Ryanair or Aer Arann, car or rail, all equally attractive but competing. This competition will improve services and hopefully reduce costs for travellers. Transport 21 includes a Cork area strategic plan, CASP, which brings together the city and county councils to develop a plan for the improvement of public transport until 2020. The Department of Transport has accepted the plan. The main investment in the plan will be the Middleton-Cork-Mallow rail route which has been delayed. This is frustrating because the road network is congested. I am disappointed that the project is not advancing at the pace we had hoped for because development of housing stock and businesses in the area hinges on it. Meanwhile, people living in the area must put up with intolerable traffic and congestion.

Green routes form another part of the CASP, serving the city centre from between eight and ten nodes. These will be dedicated bus routes but will also improve pedestrian and cycle access around the city. The concept is good and the Department of Transport has delivered funding but the bus capacity has not increased. People will be attracted to a service that, like the Luas, is on time and efficient. The bus capacity does not exist on those routes, which is a serious defect. In many cases the bus service remains as it was five years ago. People do not use the buses which defeats the purpose of the routes.

The Minister said that Transport 21 will involve 425 new buses, of which 169 are replacements and 256 are additional. Cork will receive 32, also divided between replacement and additional buses. This is not enough. If the ambitious plan of the Minister and Taoiseach is to succeed the infrastructure must be put in place. It is fine to develop green and bus routes but the Minister needs to put the buses on the route, even to the extent of having over capacity to attract commuters. I urge the Minister to consider that because the routes are not as successful as they should or could be.

Deputy Ciarán Cuffe: I am not convinced that Transport 21 is a plan for the sustainable development of transport. The Green Party is concerned that placing 80% of the capital investment over the next several years in roads is not the right way to promote social cohesion, econ-

omic success or environmental sustainability. I hope the Minister for Transport will carefully consider his predecessor's plans before accepting them as gospel. The present Minister, Deputy Dempsey, has made excellent comments about the need for sustainable policies. However, we need a change of course.

When Transport 21 was launched I was surprised at its lack of detail compared with the Dublin transportation initiative final report of 14 years ago or many other fine transportation documents. The so-called "slow modes" of transport, cycling and walking were not mentioned. As a land-use planner I noticed too that there was almost no reference to land-use planning which is crucial to transportation.

I am enthusiastic about the references in the programme for Government to multi-criteria analysis on future projects and by the establishment of a national transport regulator and the discussion about joining up land use and transportation, particularly in the greater Dublin area. Greater Dublin is no longer confined to Kildare, Meath and Wicklow but includes Cavan, Laois, Offaly, Carlow and Kilkenny where there is a significant suburban sprawl. Unless the people in these new homes have access to high quality public transport we are creating a mess that will take several generations to sort out.

I have grave concerns about rail transport. We are going backwards in respect of rail freight. While most European countries increase their rail networks to transport freight we are decreasing ours. There was almost a 50% reduction in the volume of freight carried by rail between 2005 and 2006, according to the International Union of Railways, going from 1.8 million tonnes to 970,000 tonnes. That is a crisis for the rail network and we must do something to alter that. The new Minister will consider these issues carefully but we must do a U-turn on rail freight. This comes at a time when our carbon dioxide emissions from the transport sector are up by 160% from 1990 levels and road transport accounts for 96% of these emissions, according to the EPA's report in 2005. I am sure the Minister is well aware of developments with regard to the disconnection of lines at Foynes and the North Wall rail jetty in Dublin and the proposed closure at North Esk in Cork. I am concerned that if we keep stripping this country of its rail freight infrastructure we will soon be beyond the point of no return with no alternative to road haulage.

This is not necessarily the fault of the Minister or his predecessors but the most damning issue is that Irish Rail did not make a submission to the Department of Transport's Statement of Strategy 2008 — 2010. What was Irish Rail doing that precluded it from making a submission suggesting rail had a role to play in the future of transport in Ireland? Many people are aware that Ireland is the only country in Europe where railways are not used after 11.30 p.m., despite the hundreds of millions of euro invested. Cork's freight yard is

slated for closure in January 2008 and Irish Rail's regional managers seem to be turning away business as to court business would, apparently, incur disfavour higher in the company. What is going on at Irish rail? Perhaps this approach can be traced to the negative sentiments expressed by Irish Rail's CEO, John Lynch, under the previous Minister for Transport. It is time to chart a change in course and the first step is to make proper use of the €4 million invested in a high specification container fleet purchased in 2002. Grass is now growing under the wheels of those container wagons at the Limerick depot and something must happen in this regard. The use of demountable units means all key products can be carried in containers and container compatible units and I urge the Minister for Transport, Deputy Noel Dempsey, to examine in detail what can be done in this regard.

I wish to spend a moment on the issue of integrated ticketing because with it in mind I pulled out my old Dublin Transport Initiative, DTI, final report from 1994. There seems to be a widespread belief that the issue of integrated ticketing has been around for five or ten years but on page 139 of the DTI's final report from 1994 there is mention of integrated fare structure and ticketing. I would like to take the CEOs of Irish Rail, Dublin Bus and the Railway Procurement Agency, RPA, by the scruffs of their necks, kicking and screaming, to London. I would give each of them an Oyster card and a day to see how it works. I would then bring them back, give them six months to implement such a scheme in Dublin and if they did not achieve this I would fire them. It is quite simply outrageous that integrated ticketing has been an issue for 13 years without such a system being put in place. If the jobs of these CEOs depended on delivering an integrated ticketing system in Dublin they would have done so ten years ago. Their jobs do not depend on this so we must drag them, kicking and screaming, into the 21st century — or perhaps into the mid to late 20th century, since which time cities around the world have taken integrated ticketing as a *sine qua non* of a decent public transport system.

Regarding Dublin's bus service, I was glad to hear an Taoiseach express sympathy with the commuters left walking in the rain this morning. Even Deputy Joan Burton admitted to having a bad hair day due to the difficulties in finding a bus this morning. The bus drivers simply want to start their routes at the Harristown depot, rather than the middle of town, and this seems a reasonable request. I am sure the drivers also have unreasonable requests in this matter but I find it reasonable that one should start one's route in the suburbs where commuters are and where many of the bus drivers live. Other elements are also required, however, such as a regulator for Dublin Bus and that is part of the solution.

If I had my way I would sell off the bus depots in Ringsend, Summerhill and Donnybrook and

use the capital earned to build decent new garages north, south and west of Dublin — where people live, where drivers live and where people want bus routes to start at 5 a.m., 6 a.m. and 7 a.m. It seems crazy that buses are parked on some of the most valuable land in Dublin much of the time when that land could be put to far better use. We probably do need some residual capacity close to the centre of Dublin but leaving dozens of acres of land covered in buses close to the middle of the city is a mistake. I would retain the facility at Broadstone because, as Deputy Tony Gregory mentioned, we need to reinstall the rail link that was there until the middle of the last century.

We must provide more buses as Dublin Bus has been stuck in a rut with around 1,000 buses operable each year for the past decade. Some improvements have occurred in this regard and I would give the extra buses to the company. If Dublin Bus delivers the right routes that is well and good; if it cannot deliver the right routes perhaps we should allow the private sector its fair share of the market. This is a matter for another day.

There are some fine elements in the programme for Government and in Transport 21 but I want to put it on public record that we cannot meet our climate change targets while spending the vast bulk of capital funding for transport on new roads. A slight change of heart is required and we must run climate change policies across every Department, particularly the Department of Transport. I look forward to a change of heart in transport policies.

Deputy Olivia Mitchell: It is a little ironic that this debate, which was probably arranged to allow the Government congratulate itself on transport improvements that were promised under Transport 21, is taking place against today's background of no public transport on many of Dublin's streets.

It is almost eight years since the liberalisation of Dublin's bus market was promised and this is still the only solution if we are to have a consumer focused service in the city that gives value for money. I do not know the rights and wrongs of the current dispute at Dublin Bus but I think it is unforgivable that the convenience of a couple of drivers should supersede the interests of passengers who in many cases do not have the well-paid, secure jobs held by the drivers. These passengers must get to work on time in the place they are needed by their customers, not in a place of their choosing. This situation is unforgivable and will continue until the monopoly is broken by competition. This applies to monopolies in every sector, not just the bus market.

As part of Transport 21 we were promised a Dublin transportation authority and that part of its function would be the liberalisation of the market. This promise was watered down by the then Minister for Transport, Deputy Martin

[Deputy Olivia Mitchell.]

Cullen, until the kind of competition he promised was not worthy of the name. I hope the current Minister will right this wrong done in advance of a general election in the interest, I suppose, of ensuring peace with the unions. There is no excuse for this and the issue will go on and on until competition is introduced to all areas of public service.

Transport 21 was welcomed by all as a ten year, multiannual funding programme. However, the welcome was overshadowed by a complete lack of transparency on costings, how timetables were devised, where priorities were accorded and how decisions were made on what should be included. These reservations were not merely Opposition whinging or sour grapes but reflected real concerns relating to the apparent total absence of any robust, independent analysis of the relative benefits of the various projects and how priority was accorded to them.

The planning alone of huge projects such as the interconnector and the metro runs to hundreds of millions of euro and mistakes in such projects can preclude other projects. Such errors have far-reaching implications that go beyond the merely financial.

The Transport 21 document, when it was launched, did not inspire confidence, consisting only of a two-page list of projects and one map. There were more people involved in launching it than there were pages in the document. The real disgrace, however, was the revelation that it would involve the expenditure of €34 billion of taxpayers' money. It was an insult to the taxpayer, who will foot the bill, that there was no information available to the public. It was a matter of further concern, meanwhile, that no further information was available from the Department. It was simply a list and could not be called a proper transport plan.

I have no doubt that much work went into the individual projects, but the list itself has not been subject to alternative project evaluation, cost benefit analysis or any type of financial appraisal. In short, projects were chosen not on a sound financial basis or because they were part of a comprehensive, co-ordinated and integrated transport plan but simply on the strength of their lobbying agency, whether that was the RPA, Dublin Bus, Irish Rail and so on, or because of the activity of a local lobby group in the run up to a general election. Dublin Port tunnel, probably the most expensive project ever and the most useless in terms of value for money, must give us some sense of the dangers of stand-alone projects that are not part of an integrated and co-ordinated transport plan. The dangers of projects going ahead based only on the lobbying of interest groups is that we can end up with the wrong projects, using the wrong mode of transport, on the wrong routes and with the wrong priority.

For the tax paying public, unfortunately, the lack of transparency and accountability means

the Government has a blank cheque to spend €34 billion. Given the way the plan is structured, it is impossible for us or anybody else to benchmark spending. The Minister can spend as much as he likes without any public monitoring or formal scrutiny. It is a joke. As I said before, the excuse that costing information cannot be imparted for commercial reasons is unacceptable. The competitive tendering system is devised precisely to produce the best price for the job. It has never before been used to prevent the publication of a budget.

In the case of the proposed metro, we do not even have a ballpark figure to the nearest €1 billion. That is ludicrous. We do not know if anybody can say whether this project represents value for money. We do not know at what price it becomes untenable or unsustainable or whether anybody has even decided at what level that should be set. Is it good value at €2.5 billion, €4 billion, €6 billion or €8 billion? Will we ever know? How many Luas lines could we purchase for the price of a single metro line? Is there any point in asking for some type of public debate even at this late stage? The cost is important, not to mention the cost of the congestion that will be caused in the interim period and during the construction phase.

In any case, any costings or evaluations that may have been done are now redundant because of the passage of time. The metro project is now so far behind that any ballpark figure that may have been offered is irrelevant and we have moved to a completely different ballpark. It is extremely doubtful that the construction of the metro will commence much less finish, within the lifetime of Transport 21. The same applies to many projects throughout the State. The Minister and Taoiseach regularly talk about projects coming in on time. They seem oblivious to the fact that they come in on time simply because the appointed time keeps changing. In recent months, for example, the Department's website revised outwards the timetables of 11 of these major projects. In addition, by keeping costings secret, the Government manages to put forward the spin that projects are also being completed within budget. Nothing could be further from the truth.

Given that almost every public transport project is now running late, there is an absolute necessity to ensure that other capital transport projects are slotted in to take up the slack. If the construction of the metro will not commence until after the ten-year Transport 21 project has expired, the enormous resources earmarked for that project should be used for other transport initiatives. The availability of €34 billion for transport projects in the course of ten years equates to progress. However, €34 billion to be expended over 20 years equates to chaos.

Viable projects must be brought forward. For example, I call for the construction of a Luas line in my own area of Rathfarnham and Knocklyon. There are many projects throughout the State

that are ready to commence and could be slotted into the plan. In terms of the roads programme, for instance, the roads that connect the inter-urban routes should be prioritised. That is the way to go if we are serious about regional development. It is no use continuing the orbital routes out from Dublin and leaving it at that.

Our falling competitiveness and faltering economy is due in no short measure to the Government's failure to tackle traffic congestion in the past ten critical years. That congestion has increased the cost of going to work, reduced the volume of business done in any one day, reduced the number of deliveries, pushed up wage demands and impacted hugely on people's quality of life, especially in cities. We still have a chance to rescue the economy if we learn from the mistakes of the past ten years, but only if the political will exists to do so.

It is vital from the perspective of the economy that capital projects, particularly public transport projects, that are productive and sustaining in the way that much of the house building activity in recent years was not, are brought forward to take up the slack and to afford employment to the skilled workers who will be made redundant as a consequence of the slowed housing market. Thus, transport projects are important not only in themselves but are also of benefit to the economy generally. We must proceed with the expenditure of the funding allocated for transport projects, so many of which seem to be falling behind.

Deputy John Curran: I welcome the opportunity to contribute to this debate. Before I refer specifically to Transport 21, I will respond to some of the points made by Deputy Mitchell. Her reference to a "faltering economy" could not be further from the truth.

Deputy Olivia Mitchell: Is it not faltering?

Deputy John Curran: The growth in our economy in the past decade has underpinned and afforded us the opportunity to embark on such an ambitious project as Transport 21. Deputy Mitchell referred to delays in several projects before suggesting that we go back to the drawing board and start the process all over again. We cannot go back there.

Historically, we have not had the opportunity to allocate sufficient investment in public transport services and infrastructure. Transport 21 is the first major initiative that encompasses several types of transport, including metro, Luas, roads, Dublin Bus and so on. Members from all sides welcomed this initiative. Transport 21 is a project to which more than €30 billion was allocated and which was to run from 2006 to 2015. There have been time delays on certain projects but the scale of those delays is being exaggerated to an unfair degree.

Transport 21 envisages 175 million additional public transport journeys, including 75 million

additional suburban rail journeys. Metro north will allow commuters to travel to the city centre in 17 minutes. The plan will accommodate 80,000 additional bus journeys per day and 80 million Luas and metro journeys per annum. There will be seven new Luas projects.

Deputy Olivia Mitchell: When will those ambitions be realised?

Deputy John Curran: It is important that everybody grasps the scale of the project. Deputy Mitchell may laugh but there is no doubt that it is happening. The realisation of an ambitious project will always involve issues and difficulties. We must bear in mind that some of the delays that have been mentioned arose as a consequence of people exercising their democratic rights in respect of the planning process. In regard to many of these projects, including some in my area, a public consultation process has commenced and progress is being made. Some projects in my area included in Transport 21 are at the planning stage, others are at public consultation and others still are under construction.

Deputy Cuffe spoke earlier about land use and transportation. It is important to bear in mind that Transport 21 not alone provides transport solutions to existing communities but opens up and affords new areas of development, particularly in my area of Dublin. The Adamstown and Clonburris strategic development zones are examples.

Adamstown is a new area being developed which is serviced by mainline rail and Dublin Bus. A couple of hundred housing units have been built and before any were occupied, the train station was built and operational. That is the way we must go forward. People speak about Transport 21 and what it is providing. Not alone is it serving our existing communities but the plan is for it to serve new communities in future, which I welcome.

My constituency of Dublin Mid-West has the main population centres of Clondalkin and Lucan, and metro west is a very welcome development there. At this stage metro west has gone through the initial public consultation and a preferred route has now been selected. Metro west links Tallaght, Clondalkin, Lucan and Blanchardstown to metro north and out to Dublin Airport and beyond. For people living in Clondalkin and Lucan, the metro is not just about the connection to the airport, far from it.

For too long, we have considered facilities revolving around Dublin city, and this is where some of these projects come into their own. People living in Clondalkin and Lucan use other areas, such as the hospitals and third-level colleges in Blanchardstown and Tallaght and shopping facilities in Liffey Valley, Tallaght and Blanchardstown. It is important that we look in future at where people are travelling to and work-

[Deputy John Curran.]

ing. Not all routes should necessarily lead to Dublin city.

Some previous speakers referred to integrated and co-ordinated services as if they are not happening or were not being planned. Going through public consultation and what is happening on the ground, it is precisely what is happening in my area. The metro and Kildare route project integrate at Fonthill, which is the key element of the development in bringing together these services. Park and ride facilities will also be provided.

People have stood up here and stated that there is no integration among services but we are not seeing evidence of this on the ground. The Tallaght Luas line will also integrate with the proposed new metro west. There is a significant level of integration and people are choosing, when contributing here to the debate on Transport 21, to blatantly ignore what is happening on the ground.

I will refer to the M50, which is mentioned almost every day on the news. The Red Cow roundabout, as we formerly knew it, is effectively gone, replaced by a building site for an interchange. The works are causing problems for people living in the area, such as myself, family and friends, along with others who travel through the junction every day. However, we can see improvements. It will certainly not be complete in 2007 but a substantial piece of the Red Cow site will be completed early in 2008, offering significant alleviation at one of the worst bottlenecks this country has seen on a daily basis.

This is not isolated, and I would return to the point of acting in a co-ordinated way. As soon as the Red Cow is finished, the previous junction at Newlands Cross is marked for improvement. The transport projects we are embarking upon are integrated and closely related.

Much has been made of the fact that costings are not available for metro west. I agree with the Ministers arguing against showing its total cost. We cannot give away a competitive advantage by indicating how much money we have. Tendering companies will know the ballpark figures but if we are to be truly competitive, we cannot give the total cost away in advance. We should seek best value for money for the taxpayer.

Others have stated it is Government spin that reports projects are coming in on time and within budget. That is rubbish as the Government does not report this. Such matters have frequently come before the Committee of Public Accounts, which is chaired by a member of the Opposition. In recent years that committee has found transport projects, and particularly road projects, have come in on time and ahead of budget. They are coming in considerably differently in the past three years than they were four, five and six years ago.

It should be acknowledged that this is not Government spin. For people to stand up in this House and state that such spin is just giving the

impression that projects are coming in on time is to be untruthful. The reality is the Committee of Public Accounts, chaired by a member of the Opposition, has time and again come to the same conclusions in recent years.

During leaders' questions this morning, people queried if Dublin Bus has extra bus capacity or if it has replacement buses. Last year Dublin Bus got 100 additional buses. Approximately a dozen of these buses are on a route in my area, the 151. To be fair to Dublin Bus, it did something which was novel and a bit of a challenge by running the buses on the quality bus corridors rather than through housing estates. They run from Adamstown to Grangecastle to the city centre and the IFSC, and they are making much better journey times than before. In excess of 25,000 passengers are now using that bus on a weekly basis, a significant number.

As we consider the sprawl outside Dublin city, one area I would see as being slow and weak in development has been park and ride facilities. We have put in QBCs, we have rural buses and the Dublin Bus service, but we do not have adequate park and ride facilities for people coming from ten or 20 miles away, who have to drive right into Dublin city. That is a pity. The Luas service has a park and ride facility at the Red Cow, which is well used. We should provide such services in the short term, although Transport 21 is planned to run for a decade.

Deputy Liz McManus: I am very glad to have the opportunity to speak in this debate as today saw the first meeting of a new Oireachtas Committee on Climate Change and Energy Security. I welcome the establishment of the committee, of which I am a member. I note in the committee terms of reference that we are to consider the projected energy demand from transport and the implications for energy security and emissions targets, a very worthwhile aim.

The reality is that setting up a committee will not solve the problem we have regarding a fragmentation of responsibility within Government and how Ministers will co-ordinate efforts to reduce carbon emissions and tackle climate change while ensuring we do not run into deep difficulties relating to future energy requirements.

I will give an example. I tabled a priority question to the Minister for Communications, Energy and Natural Resources relating to the carbon emissions from transport. That question was transferred, without consultation with me, to the Minister for the Environment, Heritage and Local Government. The Minister for the Environment, Heritage and Local Government is not responsible for energy but he is responsible for climate change. The Minister for Transport is not responsible for carbon emissions but he is responsible for transport.

Deputy Bernard J. Durkan: That is right.

Deputy Liz McManus: It is an unholy mess.

Deputy Fergus O'Dowd: Hear, hear.

Deputy Liz McManus: The result of this is I do not get answers to the questions I raise, which I must do as a public representative paid a fairly decent salary to come into the House to scrutinise what the Government is doing.

Deputy Bernard J. Durkan: Hear, hear.

Deputy Liz McManus: The issue I raised is serious. This is frustrating but it is not within my power to resolve the problem. I ask the Ceann Comhairle and the Leas-Cheann Comhairle to consider this issue. Today, I found I was ruled out of order in putting down a priority question relating to An Post, being told the Minister had no responsibility for postal services. The question I asked was about policy and it is not good enough for the Ceann Comhairle to throw this back at me on the basis that the Minister has no responsibility in the area. Whatever about the Minister for Health and Children and our complaints about her transferring questions to the HSE, at least she accepts the questions.

About a third of our carbon emissions come from transport so it is a huge issue. It is not something like electricity generation where we can find easy alternatives. It is a major aspect of transport policy. When we debate Transport 21 or any issues relating to transport, we must bear in mind the energy requirements of policies that depend primarily on the use of the car over everything else. Transport 21 had all the hallmarks of the health strategy produced by Deputy Micheál Martin before the 2002 election. It was a wish list and the reply to a question from Deputy Broughan makes clear that the reality is different from the aspirations in the strategy. There are delays in a range of projects and the Minister for Transport has admitted that he has not lived up to all the aspirations. I remember one of the Minister's predecessor's undertaking that the metro would be delivered for the airport within a two or four year time frame.

The Luas lines are still unconnected, a monument to the lack of joined up thinking in Government. Luas is coming to Cherrywood, however, just over the border from Wicklow. Luas in reality is led by developers not by the public good. The community in Bray came together, led by business interests, and fought hard for the Luas extension to Bray, although it was disappointed that the Green Party did not fight the good fight when it had the chance when preparing the programme for Government. Thankfully the extension was agreed in principle by the Government.

We have another battle on our hands. The outer orbital route, which is not in the document but is part and parcel of NRA planning, will extend from Drogheda to Naas, leaving Wicklow

and Wexford at a great disadvantage. That is unacceptable. Statistics show the south-east has not kept up economically with many other parts of the country. It is a hidden problem. We must ensure we are in the loop created by the outer orbital road or we will fall far behind. This is a drum I will beat at every opportunity.

People in Wicklow would love to use public transport but it simply does not exist for them. There is a DART line and a rail line from Rosslare but that line is way down the list of priorities for rail development. A railway line runs alongside Avoca village. For very little money, the station could be opened to allow people to commute to Dublin. The train stops in Rathdrum but not in Avoca and people in Avoca constantly demand the re-opening of the station. On Monday night people were petitioning me yet again on the matter. I appreciate Deputy Roche has raised the issue and I hope we can work together on it but it makes no sense that people in Avoca have no option other than travelling to work by car.

One pensioner I know was extremely frustrated by the restrictions put in place by the bus service. A bus to Arklow leaves Avoca at 11 a.m. and returns at 1.45 p.m. This gentleman is very sick and must go on a daily basis to his doctor. He cannot do that within the timeframe and tells me that people are always hitch hiking on the Avoca to Arklow road. That does not make sense and is certainly not a safe alternative for those who need access to their local town.

If there is to be sustainable development, it must be social as well as environmental. At present there is a concentration on flagship projects the Minister or the Taoiseach can open with great fanfare, such as the port tunnel project. Usually these have gobbled up huge resources, gone way over budget and taken longer than planned. Meanwhile improvements that could be made in public transport for a much better return, and for access to it for those on low incomes for much less are not being made. That is one of my major regrets about transport policy. I hope the Minister will consider his failure to live up to his aspirations in this document and reconsider what is important.

Deputy Michael McGrath: I welcome the opportunity to contribute to this discussion on Transport 21 on its second anniversary. It is significant that for the first time in the history of the State, an overall transport plan has been published by the Government for the period 2006 to 2015 embracing public expenditure of in excess of €34 billion.

We have seen dramatic improvements in recent years in our transport infrastructure as a result of our economic growth and the number of vehicles on the roads multiplying. There has been congestion but anyone travelling in recent years will have seen those improvements.

[Deputy Michael McGrath.]

We must prioritise investment in public transport. I am delighted there is now an hourly service on the Dublin to Cork route. In a full calendar year, this will carry more than 3 million passengers, a remarkable achievement, with the public responding to the improved quality of service and the 67 new railway carriages in place on that route.

I also welcome the Government's commitment to carry out a feasibility study for light rail for Cork, particularly in the context of the review of the Cork area strategic plan that is currently under way. The national spatial strategy designates Cork as a gateway city so I hope the study will start in the near future. The major development that will take place in the city over the next decade under the docklands development plan makes investment in a light rail system in Cork a serious consideration.

I acknowledge the planned re-opening of the Cork to Midleton railway line, which will open up a significant area for major commercial and residential development and improve public transport links to Cork city.

Debate adjourned.

Private Members' Business.

Child Care: Motion (Resumed).

The following motion was moved by Deputy Alan Shatter on Tuesday, 13 November 2007:

That Dáil Éireann,

calls on the Government to radically modify the new proposed child care subvention scheme that the Government intends to become fully operational from 1 July 2008, as this scheme:

- will impose intolerable financial pressures on many parents by increasing the expense of child care;
- will force some parents to leave employment and become dependent on social welfare payments;
- threatens to cause the closure of many not-for-profit crèches throughout the country;
- presently renders it impossible for such crèches to recruit new staff on a permanent basis; and
- undermines the prospects of returning to the workforce or the obtaining of essential training and education by parents presently working in the home who wish to resume employment;

and further calls on the Government to extend application of the existing subvention scheme up to 31 December 2008 to end the current uncertainty.

Debate resumed on amendment No. 1:

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

"notes:

- the success of the Equal Opportunity Childcare Programme (EOCP) in establishing a child care infrastructure in Ireland from a very low base, creating over 35,000 child care places, which support not just parents in accessing employment, education and/or training, but also provide many young children with the benefit of early years education;
- the role within that programme of the staffing scheme, which over eight years provided a total of €174 million in supports for the running costs of community based not-for-profit services in disadvantaged areas;
- that the staffing scheme was originally awarded to such groups for a limited period, in order to allow them become self-sustaining where this was possible;
- that following this period, a number of such groups in very disadvantaged areas were awarded staffing continuation funding to the end of the EOCP, to allow them continue to reduce the fees charged to disadvantaged parents. A condition of this funding was the development of tiered fees, to ensure that the benefit of the grant aid went to the disadvantaged parents it was intended for. This also ensured that community services did not unfairly compete with private services for middle and higher income parents;
- that a value for money review was conducted of the EOCP in 2006-07, which consulted with all stakeholders, including community child care providers, private child care providers, parents, and Government Departments. While largely positive regarding the scheme, it called for the current method of funding to be replaced with a less *ad hoc* and more transparent system, which would more effectively target funding to disadvantaged groups. The community child care subvention scheme (CCSS) has been developed to provide this framework;
- that the staffing scheme will cost over €37 million in 2007, whereas €153 mil-

lion has been secured for the CCSS over the three-year period 2008-10 starting with €47 million in 2008; and

- in addition to this targeted support for disadvantaged parents, universal support is available to all parents towards the cost of child care through child benefit and the early child care supplement, and the latter alone costs over €400 million in a full year;

welcomes:

- that on the announcement of the new scheme in July 2007, it was also announced that the current level of funding to services would continue to July 2008, to allow the collection of data which would allow costing of improvements to the subventions under the scheme, and that a series of regional seminars were held where this was outlined to community child care providers;
- that the large majority of groups have already returned this data, and the Office of the Minister for Children has started to collate and analyse it in order to advise the Government in regard to any changes or improvements which may be introduced, as promised last July;
- the initial analysis of this data suggests that, under the new scheme, even with no subvention, the price charged to non-disadvantaged parents will be significantly below the market price of child care, largely as a result of capital grant aid and the not-for-profit nature of the services in question;
- a number of services, which already had a strong focus on disadvantage and had implemented the tiered fee structure, have contacted the Office of the Minister for Children to say that, having got the information required from parents, they will now have an increased level of grant aid from July 2008, regardless of any future improvements; and
- the recent reiteration of the Office of the Minister for Children that this analysis will be completed early in 2008, and that enhancements based on the data will be presented to Government well in advance of next July;

endorses:

- the Government's approach to supplementing universal supports to all parents such as child benefit and early child care supplement, with additional supports to parents who would not otherwise be able to afford child care

and early years education for their children; and

- the steps taken to ensure that this targeted funding benefits the most disadvantaged of children, who would not otherwise have access to such services.”
- (Minister of State at the Department of Health and Children, Deputy Brendan Smith).

An Leas-Cheann Comhairle: Two minutes remain to Deputy Ó Caoláin.

Deputy Caoimhghín Ó Caoláin: I repeat that the community child care subvention scheme is fundamentally flawed. As I stated last evening, we should be moving towards the universal provision of preschool child care. The mooted scheme moves us in the opposite direction towards a two-tier structure that mirrors our grossly inequitable two-tier health service. We in Sinn Féin have set out our vision of how the State should address the vitally important issue of child care. We believe the Government should work to achieve a set of goals within a definite timeframe. The goals include supporting the provision of the best care for all children; enabling all parents to reconcile their child care needs with participation in the labour force, education and training; enabling all parents to exercise their choice of care for their children full-time up to one year of age; enabling all parents to access affordable child care for their children; establishing universal State provision of preschool for all children from the age of three to five years; and establishing a universal provision of early childhood care and education based on the best international models.

In the interim, Sinn Féin has called on the Government to introduce a range of measures that include the harmonisation of maternity leave on an all-Ireland basis by increasing maternity leave from the current 26 weeks paid leave and extending unpaid maternity leave to 26 weeks.

An Leas-Cheann Comhairle: The Deputy's two minutes have expired.

Deputy Caoimhghín Ó Caoláin: Sinn Féin also advocates the introduction of paid paternity leave and payment in respect of parental leave. Sinn Féin fully supports the Opposition motion and urges the Government to think again, to listen to child care workers and parents and to return to the drawing board and design a scheme that is worthy of Members' consideration and of the important need they seek to address.

Deputy Mary Upton: I wish to share time with Deputies Ciarán Lynch and Sherlock.

An Leas-Cheann Comhairle: Is that agreed? Agreed.

Deputy Mary Upton: I welcome the opportunity to speak on this debate. Like my colleagues, many of my constituents have been in touch with me to express great concern regarding the Government's proposals and the new arrangements that are supposed to benefit parents who are in need of child care facilities. While one would have hoped that any new Government amendments to the current system would prove beneficial to parents, unfortunately the opposite is the case. The new proposals will have several serious disadvantages for parents who have been able until now to avail of a reasonably-priced child care service.

The acquisition of affordable quality child care remains one of the principal challenges facing all parents and young and first-time parents in particular. The proposed amendments to the current system will certainly lead to many parents being forced to give up work or being driven away from opportunities to return to education. The only parents who will be eligible for subvention assistance under the new Government proposal will be those in receipt of social welfare or family income supplement payments.

For such parents, especially single parents and those on low incomes, the new system will act as an incentive to go back on social welfare, thus creating a new poverty trap for them. The removal of access to affordable child care for such parents is a retrograde step designed only to create an environment in which those who endeavour to improve their lot are penalised and may find themselves back in the revolving door of the social welfare system. This benefits no one: not the parents, the children, the community nor the State. Moreover, there is no provision in the new system for access to subventions for grandparents, for example, who have their grandchildren in child care and early learning facilities. Frequently, such children come from very difficult backgrounds and early intervention and positive child care is an absolute necessity to provide them with a decent opportunity.

Another problem has been highlighted by many of those who have spoken to me on this issue, namely, the segregation of children. The only children who will be entitled to avail of community crèche facilities will be those whose parents are in receipt of social welfare benefits. As other parents will be required to pay, it not unreasonable to assume they will move their children to private child care facilities. Once again, the net result will be the creation of a two-tier system. Only those in receipt of social welfare payments will be forced to send their children to community child care facilities, while other parents will avail of private child care facilities and the social mix that is so important for childhood development simply will be removed from the system.

Rather than cutting out those who most need support, the Minister should examine the services and facilities that are available at present and

ensure they are workable and are allowed to work. What is the logic behind providing a state-of-the-art child care facility and then failing to provide the funding to run it? This is precisely what has happened in one child care facility I visited in Ballyfermot. The Star is a superb facility for which wonderful people are ready to work. While its opening ceremony was conducted with much aplomb, it appears that its only purpose was as a photo opportunity for a Minister.

The consequences of the new proposal will include segregation, isolation, exclusion, poverty traps, the loss of jobs because community child care facilities will not be able to fund the staffing required and damage to the early learning of children.

Deputy Ciarán Lynch: I thank the Leas-Cheann Comhairle for the opportunity to speak on an issue that is of increasing concern. I also acknowledge the contacts and correspondence that I have received from community child care groups from throughout the southern region. The proposed restructuring of the community child care provision will result in a radical change of the existing scheme. An independent examination shows that additional charges will be placed on parents, additional operational costs for community child care providers must be recouped locally and a reduction in services and possible closure of some child care facilities will arise from this measure. Furthermore, it will reduce the social flexibility and mobility that is built into the service at present and which I consider one of its key aspects. Were this to be lost, it would undermine completely the concept of community child care in the broad conception of what constitutes a community. It will also make it practically impossible to maintain those standards that have been developed in recent years and the proposal deliberately sets out to undermine them.

The irony in this regard is that the funding that has been made available at both national and European level has facilitated the emergence from the Dark Ages of child care in Ireland. Child care facilities in the communities are now in a no-win situation whereby they will become victims of their success due to the social mobility fostered within them. The Government's proposals contain two fundamental flaws, which are also mirrored in its amendment before the House. If one examines the operation of community child care, the biggest group is the mid-tier group, which is being removed. Had the sector been examined properly, it would have been discerned that most service providers are now included within the tier that will be penalised. Second, although the Government claims it is investing €153 million in the sector, that sum is mere pie in the sky. As one must be in the classification one category to draw down the aforementioned €153 million under the new funding structure, that sum is a nonsense.

The Government would have been better off had it left the system as it was and simply invested a few pounds more. The system was not broken but required improvement. In effect, the Government proposes to create what local providers are calling a ghettoisation of the service. It will drive out working parents on low incomes who will be penalised by no longer being able to avail of community child care in their localities. I commend those in this sector who are conducting this campaign. The measure of its success is demonstrated by the manner in which the Government is becoming watery on the issue. This will be reflected in the Chamber tonight by the number of Fianna Fáil Members who will perform a Pontius Pilate act on the Minister on this issue.

Deputy Seán Sherlock: If the Government's proposals succeed, there will be dire consequences for the provision of not-for-profit child care and the significant contribution made by this sector to our communities will be rolled back. Any changes to the subvention structure under the national child care investment programme that result in a reduction in staffing levels will mean a reduction in funds available to pay staff in many community-based child care centres. This possibility contradicts the commitment in the national development plan to provide an additional 28,000 child care places and 8,000 jobs in child care. It could be argued that this subvention is being introduced in reverse. That is to say, the highest rate of subvention is being suggested for parents who are in receipt of full social welfare. If a parent stops receiving social welfare and takes up employment that parent's subvention for child care is reduced. This reduces the incentive to take up employment.

The Government, through its actions, is contradicting its own stated policy. At present, community child care facilities serve a mix of families reflective of the local community. If this subvention scheme is implemented according to the current proposals, community child care facilities may be seen as centres at which only the children of social welfare recipients are facilitated. This is contrary to any social inclusion remit. How will working families on marginal incomes who are not entitled to any form of State support have access to affordable child care? Community child care facilities which have been in receipt of staffing grants since 2002 will now be obliged to consider increasing their fees as a result of these measures. Where is the commitment to quality child care centres and to the benefits of early childhood education and socialisation? Where is the commitment to the volunteers all over the country who have given of their time, and are still doing so, to find sites, apply for funding, fill in forms, set up services and become employers? I call on the Government to rethink its proposals and let common sense prevail.

Deputy Margaret Conlon: I wish to share time with Deputies Dooley, Curran, McDaid, Flynn, Fitzpatrick, Scanlon, Moynihan and White.

An Leas-Cheann Comhairle: Is that agreed?

Deputy John Curran: How many minutes do we each have?

An Leas-Cheann Comhairle: Three minutes each.

Deputy Margaret Conlon: I welcome the opportunity to speak in support of the amendment to the motion. We have made huge progress in the provision of child care facilities over the past few years. I wish to place on record my recognition of the necessary role played by the many community and private providers of child care. Both have a significant role to play. It is important to note that 80% of child care services do not receive any subvention. Under the EOCP, targeted support was provided through the staffing support grant scheme whereby community-based not-for-profit child care providers with a strong focus on disadvantage were awarded grant aid towards their staffing costs to allow them to offer reduced rates to disadvantaged parents.

Nobody in this House would disagree that we must seek to tackle disadvantage in all aspects of life. I am proud of the efforts made by this Government in tackling disadvantage, particularly in the area of child care. It has facilitated many women who wish to return to the workplace while at the same time providing a valuable learning and social environment for children, who must always come first. Over the last few weeks there has been much misinformation and political point-scoring in this area and it is important that factual information is given to the public. The EOCP ends next month and the community child care subvention scheme is being introduced from January. This will continue to support community child care services to enable them to provide affordable child care to disadvantaged parents.

Contrary to Opposition claims, the scheme has an allocation of €153 million, an increase of 16% , which is ring-fenced over the next three years. That is a clear signal from the Government that we are not going to walk away from our commitment to child care. The Minister introduced a transitional period until July 2008 so that this Department can analyse the information received from service providers. There is a need for this data in order to ensure openness and transparency in the delivery of the scheme. From the outset, the Minister clearly stated he would analyse the data and take into consideration any emerging issues so the scheme would be implemented in such a way as to ensure the optimum outcome for parents and children who avail of community child care facilities. That commitment is clear and unambiguous.

[Deputy Margaret Conlon.]

There are many excellently run community child care facilities throughout the length and breadth of the country. Many have always operated on a tiered fee structure, which was the intention from the beginning of the EOCP. However, some have not, and this poses a problem. I argue that it is unfair to apply a fee structure which causes disadvantaged families to pay a similar amount to those whose parents are in full-time employment. These anomalies must be addressed. I look forward to the community child care subvention scheme continuing to support community child care services while targeting disadvantage. I am happy to support the amendment.

Deputy Timmy Dooley: I welcome the Minister to the House and I am delighted to have an opportunity to contribute to this debate. As a number of speakers have said, there is a considerable amount of concern among parents and community groups. Much of it is based on misinformation. Something can be done about this, and I know the Minister has been endeavouring to communicate as best he can, although it may not be possible with some elements of the media. However, I have no doubt that this debate will add to the information available.

As Deputy Conlon pointed out, it is important to recognise the tremendous amount of work that has been done. When I was first elected to the Seanad five years ago child care was a big issue, mainly because there was such a limited amount of space for children. Locations were not available and the facilities were not in place. Thankfully, we have started to address this and have gone a long way towards providing places in both the private and the public and community sector. The facilities are of a very high quality and are managed well. I have met with a number of providers in my county over the past five years and they have done a great job in bringing together communities and putting in place the services that are required. The work they have done is a credit to them and their communities. However, there is some concern, which is based on misinformation, and we need to address this.

Whenever an effort is made to change a system, an element of fear is engendered, which is all the greater when it relates to one's financial position. That is where most of the concerns are coming from. The biggest concern is that of low-income families. I was heartened to read the Minister of State's statement to the Seanad in which he sought to address the concerns of people who are on low incomes but, because they are not receiving family income supplement or other welfare payments, will be hit for every charge. Because of their financial circumstances there is a real concern that an increase in charges will make it impossible for them to remain in the workplace. It would be helpful if the Minister of State could review the scheme taking this into

account. I note that in the Minister of State's original statement in which he announced the proposed changes, he stated he would analyse the information remitted to his Department from the various schemes around that country and make further changes based on this. That would be very welcome.

My final point concerns the VAT regime associated with private child care facilities, although this is probably an issue for the Department of Finance. It would help to reduce the cost to parents if we moved from a VAT-exempt to a zero-VAT system. If the VAT status was changed in this way the capital expenditure and input could be reclaimed by the promoter of the scheme, which would reduce costs.

Deputy John Curran: I welcome the opportunity to contribute to this debate. Listening to some of the previous speakers would make one wonder what we on this side of the House have been doing for the last few years. However, it is precisely because of the structures that have been put in place and the support given by this Government under the EOCP since 2000 that we have more than 35,000 child care places in this scheme today.

A couple of years ago I met with local providers who were concerned about what, if anything, would be provided when the current scheme ran out. "If anything" was the big question.

I compliment the Minister of State on putting forward in a timely fashion his proposed plans because it afforded those who are providing services an opportunity to look at what they are doing and to respond to him. The Minister of State, in reply, has stated he will analyse the data he is getting and make the necessary adjustments, and that is important.

The backdrop to this is that funding in this area is not being diminished. It is actually increasing. It is a question of applying those resources fairly to achieve best value for money and to ensure that those who need the service are best assisted.

There has been much misinformation and comment about the new changes. I refer to the following comment made by Deputy Shatter last night:

As we have a growing elderly and greying population, and as the imbalance widens between those in employment and those retired, it is also dependent on our birth rate naturally growing. It should be an essential social and economic objective in this State, as in other member states of the European Union, that parents be encouraged to have children rather than discouraged, and that the economic impact of rearing a young family be mitigated or relieved, not made unnecessarily burdensome.

I agree. I would point out that he brings that aspect into a particular debate on community child care subvention and there are many other

aspects. I would say to him that that is precisely what this Government believes in and has been doing, not just in the single issue area of community child care subvention but in other areas where we radically increased the child benefit payment and introduced the early child care supplement. Specifically, I make the point that at present a couple with two children under six would get annual payments of almost €6,000, a substantial increase on what was provided in 1997. It is unfair to bring this debate into other areas. This is about the community-based child care subvention.

One of the issues that arises in my area relates not to the full-time groups but to the sessional groups, all of whose members I have met and documentation on which I have given to the Minister of State, which are unable to charter this out precisely, perhaps because of the diverse range of services they offer. It is important that the groups concerned are not all full-time. Many are run in conjunction with other courses, etc.

Deputy James McDaid: I raised this issue with the Minister of State, Deputy Brendan Smith, on a number of occasions and he is well aware of my views. It is normal that a Member on this side of the House would be 100% behind the Minister on a Private Members' motion, but when one has to take account of three community play groups, one of which in Letterkenny closed down last week, the Minister of State can understand my reservations. Despite the assurances that have been given that these staffing grants would continue until July next, these people in the voluntary sector are afraid of getting into debt and of taking on the extra staff needed because of the uncertainty.

I have worked in Departments. It is normal in social issues such as this that the Minister would bring in consultant companies to see if he or she is getting value for money. These changes were brought about as a result of the Department getting a company to undertake a value for money audit based on the original EOCP and it found that there was a certain number of people who possibly could afford to pay more and who perhaps were getting a service a little on the cheap or at a discount. These working parents do not get much on the cheap. They pay their taxes. They pay for their medical care. They literally pay through the nose for everything.

This company found that they were getting a service a little on the cheap. That aside, I ask the Minister to State to find out how a consultant company puts a monetary value on the aspect of a service in which adults and children from all walks of life and from all the various social classes, high earners, low earners and people on social welfare, are mixing together and learning from one another. This scheme was a perfect example of social inclusion. What monetary value can the Minister of State put on that? What

criteria do these companies use in determining that as a value for money issue?

The Minister of State is spending a great deal of money on this issue and he is not getting the credit he deserves. It has been going on for six or seven years. It was a marvellous scheme and perhaps unknown to all of us, these community play groups could have possibly sown the seeds where social inclusion could have been brought from the abstract into the three dimensional. One could see social inclusion working in this play group area. One could literally reach out and touch it.

I understand that the Minister of State must collate all his data and of course we must get value for money, but when that is completed I would urge him to tell his officials to try to reinstate this scheme in a format as close as possible to the original.

Deputy Beverley Flynn: Like my colleagues, I welcome an opportunity to speak on this important motion. I am delighted that the Minister of State acknowledged the role played by community volunteers and the considerable local effort that has gone into making these two schemes such a great success story. While it is true that the Government has invested a great deal of money, but for the contribution of the local volunteers they would not have been such a success. Indeed, they are still at it, in collating the data which the Minister of State currently seeks.

I welcome the fact that the Government has created 35,000 places since 2000, but I also have a number of concerns about how the new changes will impact on some of the rural preschool groups in my constituency. I highlighted this to the Minister of State in the past, where there might be a small group of 12 parents, one of whom is working. In one group with which I am familiar only one of the 12 parents is a social welfare recipient but all of the other families are on low incomes, although they do not qualify for FIS. Particularly when one has two or more children who are availing of the preschool facility, it places a significant burden and it will be the difference between these parents making a decision not to send their children to preschool, thus denying them a valuable education and reducing the flexibility of a mother, who might decide to stay at home, to go back to education or engage in part-time work.

I recognise that the Minister of State indicated in his speech to the Seanad that there will be an element of flexibility once the data is collated and I would ask him to look carefully at that because I am concerned about the social mix that will exist in these play groups. I recognise, and I would be the first to admit, that even within my constituency in all cases the money may not have been best targeted at where it is most needed. Indeed, some community play groups operating within towns are in competition with private facilities and people who could probably well afford to pay more are not doing so, but the

[Deputy Beverley Flynn.]

number of such cases is small. When one compares that number to the level of service being provided throughout my rural constituency, I would be worried about the impact the measure would have on the social mix. I do not know how the Minister of State can devise a mechanism to protect that mix, but it is particularly important that he do so.

One preschool in my constituency is currently receiving a staffing grant of €20,000. They inform me they will get €6,500 under the new rules. The Minister of State might well respond by saying that the information they provided initially to get the staffing grant was incorrect but I respectfully suggest that the relaxed attitude of the Department and the loose way in which the scheme has operated in the past has contributed to the existing situation. Much capital has been invested providing fantastic facilities that may be in jeopardy because those in my constituency tell me that they cannot afford to keep these going.

I accept the principle of trying to bring about a situation where the money is best targeted at the people most in need. It is the correct approach. However, I would also ask the Minister of State to bear in mind that when he is dealing with rural community it is important to ensure that the social mix is correct and we must devise some mechanism where low income families, which admittedly are not in receipt of a social welfare payment, can be facilitated within the new programme.

Deputy Michael Fitzpatrick: I am delighted to speak on this issue. I am proud to have been involved from an early stage in the provision of a child care facility in north-west Kildare. In 2003, when the idea was thought up, most people thought we were mad even to suggest it in a rural area. The centre was opened in 2005 following the expenditure of €2.5 million. It now caters for 51 full-time places with 60 seasonal places and the entire community realises the benefit of it.

We can probably all agree on two things, first, that there is no quick-fix solution to the problem of child care and, second, that the aim of the Government must be to help the most disadvantaged children get a better start in life. Child care costs are frequently raised by many working class families in my constituency. Few issues resonate with so many young people from all walks of life in communities across the country.

Last year I was very proud when the Minister of State with responsibility for children, Deputy Brendan Smith, came to Kildare in his then role of Minister of State with responsibility for horticulture. He took time out to visit the child care centre in Allenwood and to meet the staff and children, which gave them a boost of confidence in the work they were doing.

The public policies pursued by the Government on child care have had major repercussions throughout society. Our policy has impacted on

the role of women in the workplace, on the labour market and, in general, on the course of educational and social achievement.

Community child care has an important role to play within communities. While the staffing grants have been most generous, many child care facilities did not implement the tiered structure that was originally intended and this is causing problems now. I am pleased the Minister has introduced a commencement date of mid-2008, which gives all of the people involved time to put their house in order. I appeal to those who run crèches and who have not yet done so to submit the forms requested by the Department for the assessment that it is carrying out.

Deputy Eamon Scanlon: Like previous speakers, I am delighted to have an opportunity to speak on this issue. The equal opportunities child care programme is one of the most successful programmes ever introduced by any Government. In my home town of Ballymote in Sligo we received a grant of €1.3 million to set up a state-of-the-art crèche to provide child care at a reasonable cost to families on social welfare and for young working couples on low incomes who need support in terms of child care at a reasonable cost. It is important we remember these people.

I attended a meeting last Friday night in Dromahair in County Leitrim organised by the local crèche. Approximately 300 people with an interest in child care attended the meeting from all over County Leitrim. There is no doubting the genuine concern about the service that is currently provided. Part of the problem may be due to a lack of information. In fairness to the Minister of State who has requested information from the management of the existing child care facilities, it is difficult for him to make any decision until he receives the relevant information. It is necessary to examine who exactly is benefiting, what can be done and what amount of money is needed to continue the service in each area.

People know the benefit of the service they receive. In many cases those who are providing the service are young mothers who have improved their education by increasing their knowledge of child care. I spoke to the parents of a child care worker last night who has completed a level 4 course at her own expense and is considering doing a level 6 course, which is a degree course. She is a single parent. These people are totally dedicated to the job they do.

It was also pointed out to me that in many cases they have been working for the past five years without any pay increase. Some of them are working for less than the average industrial wage. I commend them on their dedication to the service they provide. When the relevant information comes back, I implore the Minister of State to seriously consider trying to maintain child care services as close as possible to current

levels because there is no doubt they have provided a great service for people.

Deputy Michael Moynihan: I welcome the opportunity to contribute to the debate. I commend the Government on the success of the not-for-profit child care facilities which have been of great benefit to communities where they have been provided. Significant voluntary effort has been made by local communities to access funding and, in co-operation with the Department, fantastic facilities have been set up across the country, no more so than in my own patch. I visited them in recent years and I was struck by the gainful employment being provided in rural communities in particular that would not have many employment opportunities. Some staff were not previously in the workforce. These child care facilities have allowed parents to go back to education. Affordable child care has been a fantastic social inclusion measure. Perhaps that was not the original intention but that has been an additional benefit. Excellent work has been done and opportunities have been created to allow people to join the workforce or to retrain.

I welcome the motion and the Minister's statement, previously in the Seanad and again tonight, about his intention when all the information that has been requested from the child care facilities is returned to the Department. One of the difficulties in the provision of child care was whether to classify people. People will find a change difficult. I spoke to the Minister of State on a number of occasions about this issue. Those who have been able to get back into the workforce, even though they may be on low incomes and for whom it is just economic to go out to work, have gained a great sense of self worth and become integrated into society. I urge the Minister of State to ensure these people are catered for when the information is analysed by the Department. We must ensure the child care facilities the Government has put in place across the country can continue to survive and to prosper and grow because they have provided a fantastic service across the country. When the information is analysed it is important to ensure we get the right level of service and target the money for child care at the people who most need it.

Deputy Mary Alexandra White: I am pleased the House has an opportunity to debate the details of the community child care subvention scheme. I am also pleased both the Dáil and the Seanad have been addressed by the Minister of State on this matter as his Department continues its evaluation and assessment of its implications. While I welcome the focus the Minister of State and his officials are putting on the most disadvantaged and needy in devising the community child care subvention scheme, I am pleased to note he is keeping an open mind on its implementation.

Much has been achieved in recent years in building up and supporting community child care

here. Challenging as the task has been at a time of much social transformation here, the creation of 36,000 new child care places, 25,000 additional places supported and nearly 3,000 jobs created, and a scheme where social integration has been promoted, are all commendable achievements. They make it all the more imperative that the equal opportunities childcare programme replacement is foolproof. In assessing the data on parent profile returns, which many child care centres are reporting difficulty in receiving back from parents, I urge the Minister to be vigilant as to what the community child care sector is saying.

While it is equitable and fair to target grant aid to those with the lowest incomes, there must be realism and imagination in deciding on the thresholds. Anecdotal evidence and correspondence received by many TDs in recent weeks and months suggest that those just above the family income supplement threshold will not be able to afford the child care being provided by the community not-for-profit sector. A significant number of people would lose out as a result. In many rural areas, including areas of north Kilkenny and parts of south Carlow where there are no private child care providers, the not-for-profit centres will lose business and may be forced to close. The objective, successfully achieved since 2000, of encouraging parents to return to the workforce or training, developing good staff to child ratios and making pre-school and after school care affordable, might be endangered. The House should accept at face value what both the value for money review and the Minister have said about the non-implementation of realistic tiered fee charges by community crèches but the way to maintain inclusiveness of access is ensuring such tapering of these is implemented rather than drawing stark lines of subvention eligibility.

I hope the Minister will consider that throughout the review. The Green Party will support any child care subvention scheme that is equitable and inclusive. The increase of over 16% in funding allocation for 2008 is welcome but I call on the Minister to get the system right before next July to ensure equality of access and the promotion of social integration. We must ensure we are not here a year from now wondering why many working parents had to quit jobs because of the cost of their child care, why communities lost their not for profit child care centres and why such communities in turn may become ghettoised.

Deputy James Reilly: I wish to share time with Deputies Enright, Creighton, Crawford, Naughten, Ring, Tom Hayes, Doyle, Bannon and Creed.

Acting Chairman (Deputy Jack Wall): Is that agreed? Agreed.

Deputy James Reilly: We are asking the Government to postpone the introduction of this

[Deputy James Reilly.]

proposed new child care subvention scheme as it will, intentionally or not, reduce the availability of child care in our communities. Many people from the Government side of the House expressed their concern about that also. It is good to hear positivity coming from the other side of the House regarding the concerns that were expressed here last week and the week before.

The Government is again spending more money with the net effect of reducing service, as the motion points out, because it will impose intolerable financial pressures on many parents by increasing the cost of child care. It will force parents to leave employment and become dependent on social welfare payments. It will cause the closure of many not for profit crèches throughout the country and make it difficult for crèches to recruit staff on a permanent basis.

It is the families on the lowest income who will suffer, as is so often the case with this Government. Those parents have come together to provide child care in a co-operative and community orientated way, and they will now be penalised. I am aware of one such project in its infancy in Balbriggan town where parents have come together as a group to provide a 37 place community crèche. They now wonder if their efforts at self-help will be sunk by this mean-minded reduction in child care subvention for low income families. Those families cannot avail of child care on the open market as it is beyond their means.

I have also received representation from a voluntary child care group in Skerries that has struggled long and hard to maintain and provide a voluntary not for profit child care service in the town for families who could not afford the alternative for profit expensive child care. They are very concerned they may lose a substantial proportion of their annual child care subvention. Fees charged to some of their low income families may increase by up to 50%. I urge the Minister to reconsider this retrograde and family unfriendly measure.

Deputy Olwyn Enright: The number of Deputies wishing to speak on this motion is an indication of its importance and the number of people who are affected by it.

The Government has an uncoordinated approach to child care and a lack of coherent policy spanning the many Departments that deal with the issue, despite having a Minister for children for a number of years. The current Government proposal has created huge uncertainty for child care providers, parents and the community groups who put major effort into getting these facilities in their communities in the first place.

This proposal is ill-considered and misses three key points. First, the loss of subvention will lead to increased charges to parents for child care when many are already stretched to breaking point trying to make ends meet. It will be partic-

ularly difficult for those on low incomes who are just above the cut-off point for family income supplement. Effectively, this means that even those on low incomes will now have to pay the full cost of child care. That will be a huge increase which will force many out of the service.

Second, the effect of this measure will be to give families little or no choice. They must either give up their job and depend on social welfare to allow their child attend the crèche, which clearly will not be necessary if the parent is at home, or work to pay for the child care and bring home little or nothing on top of it.

Third, the Government proposal is contrary to all it has said in the past about creating a better social mix. One Fianna Fáil TD admitted that it will have a ghettoising effect but his viewpoint appears to have been ignored. What message is the Government trying to send out to young children and how limiting will it be for their socialisation skills to be mixing only with those from a similar socio-economic background from such a young age? It is contrary to all good policy in terms of children.

The Minister of State, Deputy Smith, may claim to be attempting to improve access for those who are worse off financially but he is doing it in such a blunt way he has failed to see the implications of his decision. Many operators in my constituency have expressed their concerns to me. The members of one group in the process of starting such a facility have told me they believe there is little point in proceeding. Others who have magnificent facilities funded by the State worry they will not be able to remain in operation, which would be a waste of the State's investment.

The Government must re-examine this issue. If it is not prepared to listen to the Fine Gael Members on this side of the House, it would do well to listen to its own backbenchers whose speeches sound remarkably similar to our own.

Deputy Lucinda Creighton: This new scheme will have the effect of reducing the options open to families throughout the country and driving people back into welfare dependence out of which they had dragged themselves to a large extent.

According to the European Centre for Social Welfare Policy and Research, Ireland has among the highest child care fees in Europe. The cost of child care to a family on an average wage here is far higher than in most of the other OECD countries. When we take into account the tax reductions, child care benefits and rebates available, Irish families endure the highest net costs for child care. It now appears the Government will attack families even further by making child care even more expensive for working families, particularly those in disadvantaged areas. This problem must be tackled by making child care more affordable for young working families who are the future of the economy. As it stands, the

Government will encourage parents to become dependent on social welfare instead of giving them the financial incentive to return to the workplace, or remain in the workplace as is the case in many areas.

Some areas in my constituency have between 40% and 50% of adults with only primary school education, making support in education a massive priority for the area. On a recent visit to the Ringsend Action Project in my constituency, I was shown the great work that had been done to combat those statistics in that area. They are working in a very effective manner to educate people, particularly through adult learning. Their breakfast club, and particularly their after school programme, is a critical aspect of this and is testament to what can be achieved with the right investment and approach from such proactive communities.

The calculations given to me by the Ringsend Action Project, if the Minister's plans go ahead, are that they will be forced to charge €1,500 per child to plan B parents, that is, those on disability allowance, invalidity benefit and so on, and well over €2,000 per child for parents who are working in lower paid jobs. The choice facing them is to impose the system or to make redundant the two part-time primary teachers and the full-time adult worker in the breakfast and after school clubs and to shut the scheme down. It is not an acceptable outcome.

The funding proposals are bad for community crèches, young families on low incomes and social welfare recipients. If the Government insists on going down this road, it will create a scheme whereby low income families are encouraged to return to social welfare dependency. The Government should do everything in its power to avoid that scenario.

Deputy Seymour Crawford: Last Friday, the Minister of State, Deputy Smith, was the guest of honour at a child care conference in the Hillgrove Hotel in Monaghan. He spent 45 minutes speaking of the need for quality child care, on which all Deputies agree. He spent ten minutes on the subvention issue, much of it claiming there was a misinformation campaign. I assure the Minister of State, Deputy Gallagher, that it is not a misinformation campaign.

Our excellent community child care facilities, which include pre-school and crèche services, were set up with the help of significant amounts of voluntary work, EU funding in many towns and villages. They are part-funded by the Government as a means of providing community affordable child care, but essential funding will now be changed, that is, there will be cutbacks. Parents will be means tested. If they do not qualify, child care staffing grants will be reduced accordingly. These proposals will result in a considerable reduction in income for community child care facilities. They will be forced to increase their prices. The shortfall in funding must be paid for by non-qualifying families in the

form of increased fees. The shortfall will also mean job losses.

Not for profit facilities do not know whether they will be able to recruit permanent staff. The facility at Drum, a small and mainly Protestant community, does not have a hope of getting started if the Minister's proposals are approved. However, the Government gave it a grant despite having full knowledge of the facility's structure and future needs. The facility at Mullaghmatt, a housing estate in a difficult area of Monaghan town, will lose €25,000. This will have major implications for the scheme. The Ballybay scheme has not even got off the ground. Despite there being more than €1 million in Government and EU grants, there is no long-term future.

The Minister of State should withdraw the proposals. Let us keep the current scheme until the end of next year at least. We should consider the proposals' implications for child care and those employed in that sector. We should take a common sense approach. I met some of the senior executives in the Civil Service, who understand that what has been done is unworkable and must be restructured.

Deputy Denis Naughten: The future of local community child care facilities is being threatened by the new funding structure to be introduced by the Government on 1 January. Under the new staffing grant scheme, only children whose parents are in receipt of social welfare payments will be eligible for some financial support. Those parents will still face significant weekly bills. From discussing the matter with several groups throughout the Roscommon-South Leitrim constituency, I know that up to 90% of children will be deemed ineligible for any financial support because one parent is earning more than the social welfare cut-off point.

Many community groups providing not for profit child care services have legitimate concerns that, as a consequence of the new funding arrangements, it may become financially impossible to provide their services. The State provided facilities with significant amounts through capital investment to get them up and running, but the withdrawal of the State's financial support and the ever-changing HSE requirements, which have further cost implications, will pass considerable costs to young families struggling to cope with their increasing mortgages. The funding plan will force some parents out of employment, as they will be unable to afford child care. This goes against the principle of the current scheme, the objective of which was to encourage women back into education, training and the workforce. We are now telling those women that their role is not valued. The Government's thoughtless introduction of a scheme has sent shock waves through communities. It is anti-family and will force many parents into the social welfare cycle rather than help them to break out of it.

[Deputy Denis Naughten.]

Community child care has been a success story and has supported the children in the small, rural schools of many communities. Why will the income of facilities providing such a vital service be reduced? The scheme must be reconsidered. The Government must return to the drawing board, engage in a more widespread and thorough consultation and introduce a funding scheme to support communities, not undermine them. I commend the motion to the House.

Deputy Michael Ring: I compliment my colleague, Deputy Shatter, for tabling this motion. He did so because of people's anger concerning what the Government proposes regarding a good scheme. It has been stated that the Government is reviewing the scheme by sending out forms to assess people's means, incomes and employment. I do not understand why people must tamper with something that works. There is a cost factor here but the changes are anti-family, anti-women and anti-children.

The Government is supposed to distribute taxes fairly. There is nothing wrong with taking care of children and families on low incomes. Women in Fianna Fáil's parliamentary party should put pressure on the Minister and speak up on this issue because the changes are an attack on women. Women will be deprived of the opportunity to get out of the home and into the workplace. If they lose the scheme, they will be pressured into giving up work and returning to social welfare payments. Some women may not even be eligible for social welfare payments.

Regarding the means test, the poor may be protected sometimes, but the middle class has been squeezed for too long. We are discussing people on low incomes who do not qualify for medical cards or social welfare payments, but who pay for everything. Nothing is wrong with subsidised child care facilities. The system works well. I have been contacted by people from west, south, east and north Mayo who have good community facilities operating on a voluntary basis.

The Government should not proceed with its proposals and should leave the scheme alone because it is working. Tomorrow, Fianna Fáil's female Deputies and Senators should send a deputation to the Minister and the Taoiseach to tell them the changes will not be allowed to take place because they are an attack on women, particularly women in rural Ireland.

Deputy Andrew Doyle: Having listened to some of the carefully crafted speeches by Members on Government benches and Deputies joined to the Government's hip, I wondered whether they spoke to the motion or the amendment. Like the people on this side of the House, they have received much correspondence from community child care facilities in their constituencies expressing concern about it. If this revised

programme were so wonderful I doubt we would have had such contributions from the Opposition. The proposal reduces people's incentives to return to work. As far back as the Tallaght strategy it was recognised that we had to get people back to work, encourage them and show that taking a job would not penalise them. However this scheme will penalise people.

I have had representations from various groups including Wicklow County Childcare Committee and Arklow and Newtown community play groups. They feel they are becoming data collectors for the Department of Social and Family Affairs. I have used a credit union and while I do not divulge all my financial details to it, I trust it. The play groups have built up good relationships with their clients over the years and it has been a good scheme. It has worked and community play groups have tailored their facilities to the scheme that was in place. The Fine Gael Parliamentary Party has met officials from the Department, who took on board the concerns and suggestions. Judging by this amendment the suggestions are recognised but nothing will be done about them. This scheme should not be enacted until the end of 2008 at the earliest, or when all the data that is being sought has been gathered. The child care facility providers are not the right conduit to gather that data. I urge the House to support the motion.

Deputy Olwyn Enright: Hear, hear.

Deputy James Bannon: I support this motion and thank my colleague, Deputy Shatter, for raising this important issue. Whether the Minister hears it or not, the public has spoken. As a director and board member of the Legan Childcare Committee, I have my finger on the pulse of public opinion. The concerted outcry against the proposed new subvention scheme for funding community child care is deafening, and only someone with a closed mind and blocked ears could fail to hear it or judge its meaning. Rebellion is in the air. We planned to invite the Minister to officially open the new child care facility in my parish, but we decided against it because we did not want to have his bones as stepping stones.

Time and again the Opposition has highlighted the lack of joined up thinking in Government policy. In my own area of Longford and Westmeath there has been considerable development in the child care sector since the equal opportunities child care programme was introduced in 2000. Grant aid has resulted in the building of seven new child care facilities and the upgrading of three more, with a total of 20 in Longford alone, and an increase in staff from 25 to almost 200 in the sector. Seven years later these facilities face closure. I am glad the Minister has had to row back to a certain extent due to public opinion, however the scheme will cause the price of child care to rise by up to 65% to meet the shortfall in funding.

These cutbacks will force women back to the dark ages, or place them back in the role set out for them under Article 41.2.1 of the Constitution. Article 41.2.2 makes provision for the regulation of women's lives and states that women should not be forced by economic necessity to engage in labour to the neglect of their duties in the home. Is the Minister trying to tell us indirectly that he believes parents, women or men, should stay at home to look after their children and that in line with Scandinavian social policy, he will pay them to do so? I think not, so I ask the Minister to think again of the hardship he plans to visit on parents and children and the devastation he will cause in the child care sector, where newly built facilities will be forced to close and hand back the key and child care workers will face unemployment. This scenario is a serious threat not only to the freedom of parents to choose to participate in the workplace and to access affordable child care but to our economy and to the fabric of our society.

Deputy Michael Creed: Last Friday night I attended a meeting in Cork organised by the Cork County Childcare Committee. It was attended substantially by women involved in the provision of community child care and women whose children were the beneficiaries of community child care. If Government Members intent on voting down the Fine Gael motion had attended that meeting they would need hearts of stone not to be moved by the stories of the individual community child care facilities and parents involved. It is a pathetic commentary on the immaturity of this House that Members can, in political pygmy fashion, speak in favour of the motion and then vote against it.

Deputy Olwyn Enright: Hear, hear.

Deputy Michael Creed: That is a shocking commentary on the immaturity of this democracy. If the Government attempted to foist such a change on children aged five, six or seven, there would be a revolution. However it is attempted on children at preschool community child care facilities and will impact mostly on vulnerable, voiceless, low-income groups who cannot afford the PR spin doctors to make their case in *The Irish Times* where it will be heard. Therefore these people will be trod on. It is difficult to imagine a more anti-community measure. The Government's amendment will send out the message that it is okay to segregate children, that there are separate places for low-income and social welfare dependent children, and that people who attempt to better themselves and lift themselves out of poverty will be thrown back into the poverty trap. If it is not broken, the Minister should not fix it.

Countless millions of euro have been invested in capital infrastructure for the community child care facilities. Why would we seek to dismantle the bridgehead the providers of these community child care facilities are to the low-income families

in particular and to the community at large by asking community child care facilities to become social welfare or community welfare officers of the State? Why must they ask of the parents who benefit from their facilities their incomes, P60s and financial circumstances? That is not what these community driven activists got involved in. What of those who work in community child care? What of their prospects? Community child care facilities will close and people employed in them will become unemployed. This is a drastic, unforgivable proposal by the Government. In the interests of community, low-income workers, social welfare dependants and all children, I appeal to the Government to step back from the breach and to allow some breathing space, as implied in the motion. Let us formulate a better proposal that will enable these community facilities to continue to provide a service and prosper.

Deputy John Perry: I compliment Deputy Shatter on bringing forward this important motion. I am also delighted that Deputy Devins is with us, having attended a large public meeting with child care providers at Dromahair, County Leitrim, last week. Deputy Devins was conscious of the clear message from that meeting. The purpose of this valuable motion is to achieve major improvements to the child care subvention scheme proposed by this Government. From the time this proposed scheme was announced I have received strong representations from many parents expressing alarm at the proposed changes. These parents are concerned at the extra financial demands that will hit them, and that some of them will be forced to leave employment if they wish to have their children attend local child care facilities. The proposed new scheme will block the hopes of parents who currently work at home and who wish to resume training and employment. As an immediate step to defuse this looming crisis, the Government must agree to the extension of the existing subvention up to 31 December 2008 to ease the concerns and fears of parents. The proposed six monthly review period up to June 2008 is not long enough for community child care facilities to accumulate the information being requested by the Department. We must get a full and fair picture of the additional costs being imposed on the different categories of parents if the Government's proposed cutbacks to the child care subvention scheme are implemented as planned. It is essential that the review is conducted over 12 months, not six months. A 12 month review period would cover the full annual cycle of costs and would give a more balanced picture.

The Government's proposed new child care subvention scheme has one worthwhile aim, which is to help disadvantaged children. I fully support this aim. However, the proposed scheme does not provide sufficient support to community child care services as they try to provide a reasonable service for parents and children at an affordable cost. We must avoid the creation of a new

[Deputy John Perry.]

low working income trap, similar to the poverty trap we had some years ago. The danger with the proposed child care scheme is that a key socio-economic group of parents, particularly mothers, will become separated from opportunities by their income, access to education and to jobs. We must avoid the reinvention of the situation where it is better to be on welfare than at work. In rural community child care services, such as in my own constituency of Sligo-North Leitrim, it is the integrated and balanced local community-based role of the service that deserves the strongest support from the child care subvention scheme.

I ask the Taoiseach to take a direct personal interest in this issue. We know that he has a deep interest in the work of Professor Robert D. Putnam and his valuable research work on the idea of social capital. The development of high social capital and good civic engagement at local community level are directly related. These factors are a major asset for our society. From Professor Putnam's research work, we know that opportunities to participate in the workforce and quality child care are core issues in building a well integrated society. Rural community child care services are an excellent example of the type of local community co-operation that builds social capital and social equality.

In order to ensure that we do not lose the valuable results that have been achieved to date by the various community child care services now up and running, I call on the Government to bring forward major improvements to the child care subvention scheme now proposed. Every child care provider in Sligo-North Leitrim attended a huge public rally last week in Dromahair and the message was clear. This scheme should be withdrawn until the Government can come back with a scheme that is workable.

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): I thank all Members for their contributions and I will respond to specific issues raised by speakers and comment on some of the wider issues raised.

A number of accusations have been made about the new scheme. These include the claim that it will lead to the segregation of children, with only disadvantaged children in community-based services. The EOCP staffing support grant was only available to community services in disadvantaged areas whereas the new scheme will be available to all such services, irrespective of their location. This will facilitate more disadvantaged parents in accessing subsidised child care and will improve the social mix.

It is untrue that the new scheme will penalise working parents, that it is a poverty trap or that it will target parents on social welfare who do not need child care services. As the Minister of State, Deputy Smith, said, the scheme has started by identifying the two most disadvantaged categories of parents, namely, those in receipt of social welfare payments and those in receipt of the family

income supplement. Where these parents avail of full day care services, they will still have to pay the cost reduced by the subvention. Therefore, it is clear that these parents will generally be people engaged in back to work or community employment schemes, people who are in training or education, lone parents and young mothers completing secondary education.

If the new scheme did not target subsidised child care for these parents to lift them out of the poverty trap, Deputies in this House would be calling for the scheme to be amended to do exactly what it is doing. It is crucial that parents in receipt of social welfare are given the opportunity to access affordable pre-school services for their children and give them the best possible educational start in life.

Working parents on low incomes represent the other key target group of the scheme. This will mean that as the scheme stands, a family with two children with a net income of €550 per week will qualify for the child care subvention. This is well above the minimum wage income, at €346 for a 40-hour week, and the average industrial wage, at €615 per week. The Minister of State has repeatedly stated that parents on low income will be beneficiaries of the scheme.

For smaller services in rural areas, the cost price per place is higher as a result of the scale of their service. This is an issue the Minister of State and his officials have flagged for some time as one to be addressed in the enhancement of the scheme.

Department officials told groups at regional seminars that they were aware that the minimum staffing ratios under the child care regulations place a disproportionate burden on such services and that an amendment to the scheme to address that would be considered when the data were received. I cannot pre-empt the Government decision that will enhance the scheme, but the Minister of State, Deputy Smith, has discussed this matter extensively with his officials. He is happy that it will address that issue in a way that will take on board the anomalous positions of these services and that will remain consistent with the overall framework of the scheme.

I hope that the assurances given to this House by the Minister of State will meet some of the concerns expressed by Deputies during this debate. The new scheme will be finalised in early 2008 and will continue to target support for community services, but in a more effective and transparent way. Funding will be approved until the end of 2010, subject to minor adjustments from year to year based on the parental returns and staff should be no less secure under the new scheme as a result.

The community child care subvention scheme provides an effective and equitable framework to support community child care services and target disadvantaged parents and their children. The Minister of State is committed to completing the process of bringing this scheme into full effect in July 2008 following its final consideration by the

Government, on the basis of the comprehensive data analysis which he hopes to have completed in early 2008. On this basis, I commend the Government amendment to the House.

Deputy Catherine Byrne: I am sure that by now the Minister of State has heard all the arguments against the introduction of the new community child care subvention scheme, which is being introduced with no consultation with those people who are working at the coalface and those families who will be most affected. I am not going to baffle him with statistics, but I would like to give him two examples of the impact that this scheme will have on ordinary mothers. Last week I attended a public meeting on this issue and a young mother stood up and said "I am nobody, but my child is somebody." This is a young mother who, because of where she was born, has been labelled as disadvantaged all her life. She does not believe her child is disadvantaged and, like any mother, she wants the best for her child. This new subvention scheme, whether the Minister of State wants to believe it, will label children as disadvantaged. The second example is of a mother I met at a meeting last week. She was an early school leaver but is working part time after completing an adult education course. She is now in what the Government calls the modest income bracket, which means she will not benefit in any way from the new subvention scheme as she is slightly above the cut-off point.

Does the Minister of State realise what this scheme will do to communities? It will send people back to social welfare benefits, which is wrong in this day and age. The Government needs to pay more than lip service to creating equality and cherishing all of our children equally. I urge the Minister of State to consider his actions this evening. I call on those Ministers representing Dublin South-Central to consider the implications the scheme will have on a very sizable number of our constituents.

Deputy Terence Flanagan: I commend Deputy Shatter on tabling this motion. The Government must radically modify the new proposed child care subvention scheme which it intends to become fully operational from 1 July 2008. This new scheme will impose large financial pressures on many parents by increasing the expense of child care. It will force some parents to leave employment and become dependent on social welfare.

In the Dublin North-East constituency, many crèches will be forced to close. Today, I met members of TARGET which operates a child care crèche facility in Donaghmede. They are deeply concerned with the proposed new scheme. Up to 600 people use the facilities operated by TARGET. It is a community facility, providing several services including adult education, a local community employment programme, English language classes for foreign nationals and community child care. People access its facilities

across north Dublin including Balbriggan and Clontarf. TARGET runs a community child care facility which supports people who use its free counselling and literacy service. The facility is free of charge and enables people to use the education services operated by TARGET.

TARGET has been running successfully for the past 13 years. Its child care staff includes a supervisor and one child care worker while five other employees work in the child care facility on community employment schemes. The EOCP grant helped TARGET to build up these facilities. Due to limitations on the size of its child care facilities, it will be impossible for TARGET to enrol a sufficient number of children in receipt of subvention to facilitate the payment of the two salaries covered by the EOCP grant.

Under the proposed new scheme, it will be impossible for TARGET to judge at the beginning of the year its annual income from child care as children come and go. Attendance, for example, always drops off during the summer and this will make it impossible to ensure staff have sufficient job security.

Under the scheme, TARGET will have to let go its crèche supervisor and child care worker. Its adult education classes and its literacy classes will not be able to continue. Up to 24 people will become unemployed along with several teachers and counsellors. The community will lose four valuable community services that have been working for it for over 15 years. Parenting skills classes, special needs services and English language classes for foreign nationals will have to end. This is just one example of how the new scheme will affect one existing service. This will be replicated in similar facilities across the country.

A form of financial support for community child care is badly needed. The current system is working and I ask the Minister not to tamper with it. He must extend the application of the existing subvention scheme until 31 December 2008.

I call all Members to support Deputy Shatter's motion to retain the existing subvention scheme.

Deputy Alan Shatter: I thank my colleagues in the Fine Gael Party and other Opposition Members who spoke so eloquently in support of this motion.

I am somewhat puzzled by the contributions of Fianna Fáil Members. It is a tradition in the House for Government Members to support their Minister in whatever he or she is doing. The tradition has somewhat changed in the past 24 hours. Apparently, most Fianna Fáil Members have grave concerns about the implications of the proposed child care scheme but they will support the Minister regardless. This is most unfortunate.

This is not a motion of confidence in the Government. It is about genuine concerns about the implications of the proposed scheme for not-for-profit child care facilities and the impact it will have on parents and children. I would like to see those Members of Fianna Fáil who had the courage to express their concerns to have the

[Deputy Alan Shatter.]

same courage when voting on the motion. This is a parliament, not a theatre. We should vote on what we believe and not just play political games in the Chamber.

We need more, not fewer, affordable child-centred child care services. I recognise the Government has put up to €300 million in funding for the provision of good not-for-profit child care facilities. People in communities across the State have volunteered their time and made great efforts to provide the type of child care facilities that were badly needed for a long time. This was done not just to facilitate children but to facilitate mothers trying to get back into the workforce. It assisted young families under financial pressure to maintain two incomes. It was not just a back-to-work scheme but one that facilitated those in low-income groups to remain in the workforce.

The new scheme announced by the Government will pull the rug from under their feet. The consistent approach over recent years to not-for-profit child care facilities was supported on all sides of the House. The Minister of State, Deputy Devins, claims the proposed scheme will provide child care subventions for those in receipt of social welfare benefits or those in employment in receipt of family income supplement. On all sides of the House, it is recognised the scheme must also make provision for those in the workforce in receipt of low incomes who do not fall within eligibility criteria for family income supplement.

The proposed scheme is to become operational on 1 July 2008 with a transitional arrangement to maintain the current scheme. The Government has also promised to do something but it still does not know exactly what. It hopes those running not-for-profit child care services will maintain existing services. However, not one Member on the Government side can say what steps will be taken to ensure this.

The motion calls for certainty in this sector for the next 12 months. The Government must maintain the current scheme until 31 December 2008 and examine the data it will collect. It is an extra-

ordinary approach for the Government to announce a new scheme without knowing how it will impact and then to claim it will research it afterwards. It also claims that when the research is completed it will work out how and when it will change the scheme. Not-for-profit child care services which need to recruit new staff cannot give any security of contract or inform prospective employees if they will be employed from 1 July 2008.

The Minister claims there was misinformation from this side of the House. There has been no misinformation on this side of the House. The Minister for State at the Department of Health and Children, Deputy Devins, referred to regional seminars. The Department's regional seminars highlighted the inadequacies of the scheme and caused alarm bells to ring in the heads of those across the country who have provided these services. We have not criticised the financial allocation for child care services. The Minister of State has been slaying dragons that do not exist by accusing people of criticising the level of funding available from his Department. We are criticising the new scheme which will not allow for the proper expenditure of that funding and will leave far too many families under financial pressure. The detail of the scheme threatens the future functioning of facilities that work well, the employment of the staff in them and creates real worries for parents, particularly women, about their capacity to remain in employment.

I predict that if the House does not vote to extend the scheme to December 2008 it will prove impossible to collate the significant information being furnished to the Department by over 800 child care facilities and tens of thousands of parents, and to work out what the changes should be. It is likely that although the Government will reject this motion the current scheme may have to continue to the end of the year. Would it not be better to do this by agreement on all sides of the House than to allow the uncertainty continue for several months? I urge the House to support the motion.

Amendment put.

The Dáil divided: Tá, 74; Níl, 64.

Tá

Ahern, Michael.
Ahern, Noel.
Ardagh, Seán.
Aylward, Bobby.
Behan, Joe.
Blaney, Niall.
Brady, Áine.
Brady, Cyprian.
Brady, Johnny.
Calleary, Dara.
Carey, Pat.
Conlon, Margaret.
Connick, Seán.
Coughlan, Mary.
Cowen, Brian.
Cregan, John.
Cuffe, Ciarán.

Cullen, Martin.
Curran, John.
Dempsey, Noel.
Devins, Jimmy.
Dooley, Timmy.
Fitzpatrick, Michael.
Fleming, Seán.
Flynn, Beverley.
Gallagher, Pat The Cope.
Gogarty, Paul.
Gormley, John.
Grealish, Noel.
Hanafin, Mary.
Harney, Mary.
Haughey, Seán.
Healy-Rae, Jackie.
Kelleher, Billy.

Tá—continued

Kelly, Peter.	Ó Cuív, Éamon.
Kenneally, Brendan.	Ó Fearghail, Seán.
Kennedy, Michael.	O'Brien, Darragh.
Killeen, Tony.	O'Connor, Charlie.
Kirk, Seamus.	O'Dea, Willie.
Kitt, Michael P.	O'Flynn, Noel.
Kitt, Tom.	O'Hanlon, Rory.
Lenihan, Brian.	O'Keeffe, Batt.
Lenihan, Conor.	O'Rourke, Mary.
Lowry, Michael.	O'Sullivan, Christy.
Mansergh, Martin.	Power, Peter.
Martin, Micheál.	Roche, Dick.
McDaid, James.	Ryan, Eamon.
McEllistram, Thomas.	Sargent, Trevor.
McGrath, Finian.	Scanlon, Eamon.
McGrath, Mattie.	Smith, Brendan.
McGrath, Michael.	Treacy, Noel.
Moynihan, Michael.	Wallace, Mary.
Mulcahy, Michael.	White, Mary Alexandra.
Nolan, M.J.	Woods, Michael.

Níl

Allen, Bernard.	Lynch, Ciarán.
Bannon, James.	Lynch, Kathleen.
Barrett, Seán.	McCormack, Pádraic.
Breen, Pat.	McGinley, Dinny.
Broughan, Thomas P.	McHugh, Joe.
Bruton, Richard.	McManus, Liz.
Burke, Ulick.	Mitchell, Olivia.
Burton, Joan.	Morgan, Arthur.
Byrne, Catherine.	Naughten, Denis.
Carey, Joe.	Ó Caoláin, Caoimhghín.
Clune, Deirdre.	Ó Snodaigh, Aengus.
Coonan, Noel J.	O'Dowd, Fergus.
Costello, Joe.	O'Keeffe, Jim.
Coveney, Simon.	O'Mahony, John.
Crawford, Seymour.	O'Shea, Brian.
Creed, Michael.	O'Sullivan, Jan.
Creighton, Lucinda.	Penrose, Willie.
Deenihan, Jimmy.	Perry, John.
Doyle, Andrew.	Rabbitte, Pat.
Durkan, Bernard J.	Reilly, James.
English, Damien.	Ring, Michael.
Enright, Olwyn.	Shatter, Alan.
Feighan, Frank.	Sheahan, Tom.
Ferris, Martin.	Sheehan, P.J.
Flanagan, Charles.	Sherlock, Seán.
Flanagan, Terence.	Shortall, Róisín.
Hayes, Tom.	Stagg, Emmet.
Higgins, Michael D.	Stanton, David.
Hogan, Phil.	Tuffy, Joanna.
Howlin, Brendan.	Upton, Mary.
Kehoe, Paul.	Varadkar, Leo.
Kenny, Enda.	Wall, Jack.

Tellers: Tá, Deputies Tom Kitt and John Curran; Níl, Deputies Paul Kehoe and Emmet Stagg.

Amendment declared carried.

Question put: "That the motion, as amended, be agreed to."

The Dáil divided by electronic means.

Deputy Paul Kehoe: As a teller, under Standing Order 69 I propose that the vote be taken by

other than electronic means. I would like to offer the Government backbenchers another opportunity to vote with the Opposition.

An Ceann Comhairle: As Deputy Paul Kehoe is a Whip, under Standing Order 69 he is entitled to call a vote through the lobby.

Question again put: "That the motion, as amended, be agreed to."

The Dáil divided: Tá, 73; Níl, 62.

Tá

Ahern, Noel.
 Ardagh, Seán.
 Aylward, Bobby.
 Behan, Joe.
 Blaney, Niall.
 Brady, Áine.
 Brady, Cyprian.
 Brady, Johnny.
 Browne, John.
 Calleary, Dara.
 Carey, Pat.
 Conlon, Margaret.
 Connick, Seán.
 Coughlan, Mary.
 Cowen, Brian.
 Cregan, John.
 Cuffe, Ciarán.
 Cullen, Martin.
 Curran, John.
 Dempsey, Noel.
 Devins, Jimmy.
 Dooley, Timmy.
 Fitzpatrick, Michael.
 Fleming, Seán.
 Flynn, Beverley.
 Gallagher, Pat The Cope.
 Gogarty, Paul.
 Gormley, John.
 Grealish, Noel.
 Hanafin, Mary.
 Harney, Mary.
 Haughey, Seán.
 Healy-Rae, Jackie.
 Kelly, Peter.
 Kenneally, Brendan.
 Kennedy, Michael.
 Killeen, Tony.

Kirk, Seamus.
 Kitt, Michael P.
 Kitt, Tom.
 Lenihan, Brian.
 Lenihan, Conor.
 Lowry, Michael.
 Mansergh, Martin.
 Martin, Micheál.
 McDaid, James.
 McEllistrim, Thomas.
 McGrath, Finian.
 McGrath, Mattie.
 McGrath, Michael.
 Moynihan, Michael.
 Mulcahy, Michael.
 Nolan, M. J.
 Ó Cuív, Éamon.
 Ó Fearghaíl, Seán.
 O'Brien, Darragh.
 O'Connor, Charlie.
 O'Dea, Willie.
 O'Flynn, Noel.
 O'Hanlon, Rory.
 O'Keefe, Batt.
 O'Rourke, Mary.
 O'Sullivan, Christy.
 Power, Seán.
 Roche, Dick.
 Ryan, Eamon.
 Sargent, Trevor.
 Scanlon, Eamon.
 Smith, Brendan.
 Treacy, Noel.
 Wallace, Mary.
 White, Mary Alexandra.
 Woods, Michael.

Níl

Allen, Bernard.
 Bannon, James.
 Barrett, Seán.
 Breen, Pat.
 Broughan, Thomas P.
 Bruton, Richard.
 Burke, Ulick.
 Burton, Joan.
 Byrne, Catherine.
 Carey, Joe.
 Clune, Deirdre.
 Coonan, Noel J.
 Costello, Joe.
 Coveney, Simon.
 Crawford, Seymour.
 Creed, Michael.
 Creighton, Lucinda.
 Deenihan, Jimmy.
 Doyle, Andrew.
 Durkan, Bernard J.
 Enright, Olwyn.
 Feighan, Frank.
 Ferris, Martin.
 Flanagan, Charles.
 Flanagan, Terence.
 Hayes, Tom.
 Higgins, Michael D.
 Hogan, Phil.
 Howlin, Brendan.
 Kehoe, Paul.
 Kenny, Enda.

Lynch, Ciarán.
 Lynch, Kathleen.
 McCormack, Pádraic.
 McGinley, Dinny.
 McHugh, Joe.
 McManus, Liz.
 Mitchell, Olivia.
 Naughten, Denis.
 Ó Caoláin, Caoimhghín.
 Ó Snodaigh, Aengus.
 O'Dowd, Fergus.
 O'Keefe, Jim.
 O'Mahony, John.
 O'Shea, Brian.
 O'Sullivan, Jan.
 Penrose, Willie.
 Perry, John.
 Rabbitte, Pat.
 Reilly, James.
 Ring, Michael.
 Shatter, Alan.
 Sheahan, Tom.
 Sheehan, P. J.
 Sherlock, Seán.
 Shortall, Róisín.
 Stagg, Emmet.
 Stanton, David.
 Tuffy, Joanna.
 Upton, Mary.
 Varadkar, Leo.
 Wall, Jack.

Tellers: Tá, Deputies Tom Kitt and John Curran; Níl, Deputies Paul Kehoe and Emmet Stagg.

Question declared carried.

Adjournment Debate.

Health Services.

Deputy Caoimhghín Ó Caoláin: I thank the Ceann Comhairle for the opportunity to raise the matter of the crisis in our hospitals with the continuing proliferation of MRSA and other fatal hospital-borne infections. I was prompted to raise this matter when it was revealed yesterday that Beaumont Hospital is so overcrowded and lacking in beds that it is unable to provide isolation facilities for a third of its patients with MRSA.

This is a shocking and scandalous matter. Beaumont Hospital is a large teaching hospital serving the population not only of the north side of Dublin, but for many services the entire north-east region, including Cavan, Monaghan, Meath and Louth. It is a national centre for renal dialysis and kidney transplant, a national centre for neurosurgery and it is planned to locate one of the promised centres of excellence for cancer care at Beaumont.

The 2006 annual report of the infection control team in Beaumont states that because of a lack of beds it was not possible to isolate or ring-fence one in three patients colonised by or infected with MRSA. The report contains the following paragraph, which I can only describe as frightening:

The physical resources of the hospital are under enormous pressure to deliver a quality service and serious questions remain about the safety of patients in certain situations, for example non-MRSA patients being cared for in ward areas with MRSA-positive patients due to inadequate isolation facilities and a cramped, out-dated intensive care unit.

That is absolutely shocking. The report states clearly that facilities are inadequate in the hospital for the control and prevention of MRSA and other infections. Beaumont has clearly identified the need for additional beds and without these it cannot provide isolation units and single rooms, which are absolutely essential for the treatment of MRSA and to prevent its further spread throughout our hospitals.

In other countries, such as the Netherlands, where hospitals have a far greater proportion of single rooms, there have been great advances in stamping out these infections. On the other hand, we are still living with the legacy of the overcrowded Victorian ward system. Action is needed to provide the facilities to address this grave threat to patients in our hospitals.

The critical issue regarding MRSA and other major infections has been thrown into stark relief by the release yesterday of the first national hygiene services quality review by the Health Information and Quality Authority. This also

makes frightening reading. It states the majority of public hospitals in Ireland need to dramatically improve their hygiene standards. Just seven of 51 hospitals have good hygiene standards and none was found to have very good standards. Nine hospitals are rated as poor and the remaining 35 as fair.

HIQA has indicated these findings show that most hospitals must take measures to improve standards. In welcoming the audit, the Health Service Executive stated it reflects significant improvements in hygiene and is a validation of the focus it has placed on the matter in the last two years. That may well be so and I commend all those who have made increased efforts to improve these standards in our hospitals. However, the HSE statement begs the question as to what hospitals were like prior to this two-year drive, if yesterday's HIQA report is seen as a sign of improvement.

It was revealed last June that as far back as May 2001, the infection control committees for University College Hospital and Merlin Park Hospital in Galway were expressing anger and dismay at the non-implementation of policies to combat MRSA. These revelations confirmed that if concerted action had been taken at an early stage, MRSA would probably not have become as widespread as it is now throughout the hospital system. The need for many more single rooms and isolation units was clearly identified as long ago as 2001 but no action was taken.

The continuing high prevalence of MRSA in Irish hospitals is a national scandal. A total of 587 MRSA bloodstream infections were reported last year, compared to 592 in 2005. These figures represent only a proportion of people infected with MRSA as it does not include those with wound infections.

This is a damning indictment of successive Governments, particularly the Fianna Fáil-PD coalition of the last ten years, which has favoured privatisation over the upgrading of the public hospital system. The high incidence of MRSA is a direct result of overcrowding, a lack of beds and a shortage of personnel in our public hospitals. The prevalence of MRSA is one of a number of reasons the promised 3,000 additional beds must be delivered, including single rooms and isolation units. I appeal to the Minister and Ministers of State to use their influence to have this important need addressed.

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): I am taking this Adjournment matter on behalf of my colleague, the Minister for Health and Children.

I share the Deputy's concerns about MRSA and health care infections generally. I reiterate my commitment to ensuring that high-quality care is made available to all patients and to the further development of our health services, in particular the issue of patient safety.

Tackling health care associated infections, HCAI, including MRSA, is a priority for the

[Deputy Jimmy Devins.]

Government and for the Health Service Executive. The HSE has established a national infection control action plan. It has put in place an infection control steering group, chaired by Dr. Pat Doorley, the national director of population health, to oversee the implementation of the plan. Over the next three to five years the HSE aims to reduce HCAs by 20%, MRSA infections by 30% and antibiotic consumption by 20%. These targets will be achieved through the development of national and local level action plans to reduce the potential for spread of infections in health care settings. The steering group is supported by eight local implementation teams which will ensure that all local facilities are focused on achieving the national targets.

The availability of isolation facilities is an important factor in the overall solution to this issue. In that context, the Minister has already agreed with the HSE that designated private beds should be used where isolation facilities are required for patients who contract MRSA and this policy has been adopted by the HSE. New environmental building guidelines are being prepared by the HSE to inform infection control policy in all new builds and refurbishments.

The infrastructure of our current stock of hospitals is an issue but it is impossible to simply take an existing building like Beaumont Hospital and convert it into single rooms. There will be, however, an additional 28 single rooms in a new building planned for Beaumont Hospital that will address this issue which is due for completion next year. There will also be another four rooms in the new high dependency unit and two in the new intensive care unit.

The report the Deputy refers to relates to 2006 and many positive things have happened since then in the whole area of hygiene and infection control. Beaumont Hospital participated in the national acute hospitals hygiene audit in 2005 and again in 2006. The hospital's score of 83% in the 2006 audit was a considerable improvement on the 62% recorded in the first audit and just two points off the "good" category. This improvement was the result of enormous commitment and effort by staff throughout the hospital. In yesterday's hygiene assessment report by the Health Information and Quality Authority, Beaumont Hospital emerged as one of seven hospitals with a "good" rating.

That is a significant improvement, probably the biggest we have seen for any hospital. It shows that the approach of using audits to focus attention where it needs to be clearly works. I commend Beaumont Hospital on that achievement.

Beaumont has also introduced a new electronic alert mechanism on its computer system to notify staff of patients with MRSA on readmission. This has also been incorporated into the emergency department and hospital information systems. It allows bed managers to isolate potentially infective patients more effectively and earlier, where this is possible.

Not all HCAs are preventable but significant steps are being taken to reduce the rates of infection and to treat them promptly when they occur. While there is much more work to be done, I note the improvements to date that Beaumont has achieved and expect this trend to continue in the best interests of patient care.

State Airports.

Deputy Pat Breen: I welcome the opportunity to raise this important matter.

Media reports yesterday indicate that the business plan for Shannon Airport has been completed and forwarded to the Dublin Airport Authority for approval and that Cabinet members have been canvassed to support this plan. I remind the House that the previous Minister for Transport, Deputy Cullen, said, "Both I and the Minister for Finance must be satisfied as to the state of operational and financial readiness of the Shannon and Cork Airport Authorities before the assets of the airports are invested in those authorities". Following questions from my colleagues, Deputies Clune and Coveney, it is now clear that Cork will be burdened with payment of some of its debt, in spite of commitments given by the then Minister, Deputy Séamus Brennan, and the Taoiseach. This is appalling. Is this also the case for Shannon Airport? It is a shame the Minister for Transport is not here to answer these questions because they are very important.

The clouds have gathered over Shannon Airport since the general election. Prior to this, the Government was giving out commitments like confetti at a wedding but now, one by one, they are evaporating. The Government has failed to safeguard our Heathrow slots, failed to intervene and has not secured an alternative airline. As a result, 320,000 passengers have been wiped off the airport's bottom line.

The Department of Transport and the Minister failed to act. Shannon Airport is not a priority in the Department. I am seriously concerned that the independence of Shannon is being rushed through without any proper evaluation of the airport's ability at this time to stand on its own two feet to deflect attention from the Government's inaction on Shannon.

We must look at the real picture in Shannon. We must ensure that another failure by this Government does not come back to haunt us. Today, the CSO figures confirm that for the second month in a row there has been a drop in the number of trips to Ireland from north America, a drop of 8,900 trips for September 2007 and 4,100 for August 2007. These figures do not address the length of stay, the average spend or the regional imbalance.

The previous Minister told us in Shannon that we should embrace the opportunity, that aircraft were sitting in 22 new US airports ready to take off and that we would share in that business. They

have not landed in Shannon, the story there is very different. American Airlines has ceased its Shannon operation. US Airways did not operate for the winter and the Aer Lingus chief executive Dermot Mannion has only given a guarantee of direct trans-Atlantic flights from Shannon up to October 2008. The reality is that direct seats sold from the US into Shannon are falling year by year, down from 577,000 in 2006 to 442,000 for 2007, with projections of 355,000 direct seat sales for 2008.

This Government told us that in tandem with the introduction of Open Skies, there would be a €53 million tourism and economic plan to help soften the landing at Shannon. Not one cent has been received and the plan is still in its infancy. The former Minister, Deputy Cullen, also told us that he “sought and received guarantees from Aer Lingus” that it would deliver 400,000 trans-Atlantic passengers post-Open Skies. Another commitment and another broken promise.

The industrial climate in the Shannon region is also quivering. Over the past few weeks there were announcements of job losses at Tyco Electronics, John Crane Limited, Thompson Financial and at Aer Lingus at Shannon. Many more companies in the Shannon free zone are facing difficulties because this Government has failed to address Ireland’s deteriorating competitiveness. If we do not maintain our link to Heathrow, this may only be the tip of the iceberg. Confidence in doing business in our region is being eroded.

Does this Government intend to write the obituary for Shannon and the region? If we do not ensure that our airport’s future operational and financial requirements are addressed, our fate will be sealed. The airport has a debt of between €70 million to €80 million. Will this be written off by the Government? Has the business plan been finalised without a commitment on writing off this debt?

The cost of developing the necessary infrastructure to sustain the future needs of the facility could be up to €250 million. The extension of car parks, resurfacing the main runway and taxi-ways and replacing air bridges cost money. When one lands at Shannon one notices many temporary buildings in a dilapidated state, all of which require refurbishment. Shannon Airport faces an uncertain future with 320,000 passengers wiped off the Heathrow route, no guarantees on transatlantic passengers, significant capital cost projections, a dependency on military traffic and an over-reliance on low-cost operations.

Therefore it is important that before any decision on the break up is finalised, the airport’s ability to fund its future capital investments should be addressed. This is the reason the location and control of Aer Rianta International is pivotal to any decision. It is imperative that this is retained under the umbrella of Shannon Airport. When the State Airports Act 2004 was being debated, the then Minister, Deputy Séamus Brennan, reaffirmed that the trade unions would be consulted fully on all issues of concern, includ-

ing the preparation of business plans for each airport. Has this process taken place?

An Ceann Comhairle: The Deputy’s time has expired.

Deputy Pat Breen: I am uncertain whether my constituency colleague, Deputy Tony Killeen, will reply to this matter this evening. Whoever does so should be aware that fast-tracking independence without ensuring the ability of the airport to stand alone may come back to haunt us, as have the Heathrow slots. I ask the Minister to get it right this time.

Minister of State at the Department of Community, Rural and Gaeltacht Affairs (Deputy Pat Carey): I thank Deputy Breen for raising this important matter. I will take this motion on behalf of the Minister for Transport, Deputy Noel Dempsey. The State Airports Act 2004 provides the framework for the establishment of Shannon as an independent airport. As part of the airport restructuring process, the board of Shannon Airport is required to prepare a business plan for eventual separation.

In their examination of the plan, the Ministers for Transport and Finance must be satisfied that all three airports have the capacity to operate on a sound commercial basis before giving final approval to the business plans. The agreement of the Dublin Airport Authority, DAA, will be central to the conclusion of the business planning processes for Shannon. The Shannon Airport Authority, SAA, has submitted its business plan to the DAA to pave the way for eventual autonomy for Shannon Airport. The Department of Transport has recently received a copy for its information. My colleague, the Minister for Transport, Deputy Noel Dempsey, understands there will be engagement shortly between the DAA and SAA on the plan’s content and he looks forward to hearing the outcome of the DAA-SAA discussion process with a view to making progress on separation in a timely fashion.

Subject to satisfactory progress being made on this plan, the Minister for Transport awaits the DAA’s overall considered views on airport separation to enable the plans to be examined by him, together with his colleague, the Minister for Finance.

Services for People with Disabilities.

Deputy Thomas McEllistrim: I thank the Ceann Comhairle for allowing me to raise this important issue in my constituency. I call on the Minister for Community, Rural and Gaeltacht Affairs to provide the necessary funding for the Kerry Network of People with Disabilities in order that it can employ a project co-ordinator. At present, the network operates without a project co-ordinator, which is completely unsatisfactory as every ship needs a captain.

[Deputy Thomas McEllistrim.]

The Kerry Network of People with Disabilities was established in 1996 by local volunteers following the publication of the report by the Commission on the Status of People with Disabilities in Ireland. It is one of 30 networks of people with disabilities in Ireland that together form the national organisation known as People with Disabilities in Ireland Limited, PwDI. The Kerry Network of People with Disabilities catchment area comprises all of County Kerry. The remoteness between rural and urban parts of the county is easily seen when one considers that County Kerry has an area of slightly more than 1,800 square miles and a road network of more than 4,000 miles. Tralee is the administrative capital. Membership of the Kerry Network of People with Disabilities is open to all people with disabilities, their families, carers and advocates in County Kerry. At present, it has a registered membership in excess of 500. The Kerry Network of People with Disabilities is unique in that it is an organisation of, as opposed to for, people with disabilities.

From the outset, the Kerry Network of People with Disabilities has operated to the principles of community development. Hence it employs a community development worker to deliver a community development programme to its members. The network has developed and grown in direct response to the expressed needs of its members. Over the years, together with the capacity of the network to influence positive change that affects the lives of people with disabilities, individual capacity building has seen members become stronger advocates, negotiators and representatives of the network's aims and objectives. The aim of the Kerry Network of People with Disabilities is to promote the human, civic, social, economic, political, cultural and recreational rights and freedoms of people with disabilities in County Kerry.

The Kerry Network of People with Disabilities works to create opportunities for the full and equal participation of people with disabilities. It attaches particular importance to the defence and promotion of rights. Indeed the network's work has always been diverse and includes team building, work plan development, representation and facilitation. The network has also carried out access audits, made submissions to both local government and national Government and organises training for its members. The Kerry Network of People with Disabilities is a model of best practice that keeps people with disabilities at the centre of all decision making. It promotes full inclusion and opportunities for all. The network's focus is always on ability, diversity, challenging inequality and encouraging others to embrace diversity and become more inclusive in line with current legislation and best practice.

The network believes that unless there is a sense of involvement in decision making, the alienation and exclusion of disabled people will grow. It works to ensure that disabled people are

central not only at the consultation stages of development that has an impact on their lives but that they are present at the stages of implementation, monitoring and evaluation of any such initiatives. The network always promotes best practice regarding disability issues. The Kerry Network of People with Disabilities will continue to work hard to ensure it has the capacity and resources to participate in the new opportunities contained in the national disability strategy.

The network's current staffing consists of a voluntary management committee, which is representative of those involved, such as, for example, people with all forms of disability, groups and organisations, parents, advocates etc. Its staff comprises one community development officer, two part-time finance officers who are funded by the HSE, one outreach worker and three community employment staff who are seconded from Partnership Tralee, as well as volunteers drawn from approximately 25 active members. At present as the Kerry Network of People with Disabilities does not have a project co-ordinator. The community development worker must assume responsibility for the management of the project and must support and supervise the staff, functions which go far beyond her job description.

The appointment of a project co-ordinator is absolutely necessary to respond to the need for overall co-ordination of the project and the issues involved in the increased workload. A co-ordinator would enable the network to continue to develop and respond to the expressed needs of its members, that is, people with disabilities in Kerry, as well as their families, carers, advocates and its partners. Such a co-ordinator is an essential element of the future development of the network. The management committee and staff have been very proactive over the years in undertaking new work regarding people with disabilities throughout County Kerry. However the lack of a project co-ordinator within the network has hampered the efforts of the project to develop to its full capability and has, as stated, greatly increased the workload and responsibilities of the community development worker. The proposed co-ordinator would be expected to facilitate and implement the work plan as drawn up by the management team of the Kerry network and will be accountable to it. In addition, the co-ordinator would be responsible for all staff employed by the network.

I urge the Minister to allocate the necessary funding to the Kerry Network of People with Disabilities in order that it can employ a project co-ordinator and thus deliver a more focused and enhanced service to its members. I insist the Minister give this ship a captain.

An Ceann Comhairle: I imagine there should be no problem in that regard.

Deputy Pat Carey: I thank Deputy McEllistrim for raising this important matter. The community

development programme was established in 1990 in recognition of the role of community development in tackling the causes and effects of poverty and disadvantage. The programme is one of a number of programmes operated by my Department as it seeks to enable communities identify and address issues in their areas. Central to this approach is the involvement of members of the community working together in assessing needs and identifying the changes necessary to improve conditions and making such changes happen.

Approximately 182 community development projects and organisations are funded under the programme at a cost of €24 million in 2007. These projects and organisations are located in recognised disadvantaged urban and rural areas across the country. Projects are expected to operate as a resource for the communities in which they are located. In general, projects are concerned with the needs of women and children, lone parent families, the unemployed, the elderly, young people at risk, Travellers, those with disabilities, new communities and other disadvantaged groups. They provide facilities such as meeting rooms, crèches, office facilities and training or education projects designed to meet the needs of disadvantaged groups in these communities.

Projects are funded on a multi-annual contract basis to employ development staff and to cover the costs of overheads and administration. Posts covered under the programme include co-ordinators, development workers and administrators. Projects are encouraged to use the funding provided by the programme as seed funding to attract other funding and resources in responding to the community's identified needs.

As Deputy McEllistrim said, the Kerry Network of People with Disabilities, KPwDI, is one of 30 such networks which together form the national organisation known as People with Disabilities in Ireland, PwDI. PwDI received funding in the region of €1.4 million in 2007 from the Department of Justice, Equality and Law Reform to support its activities and those of its network members. The network's primary aim is to promote the human, civil, social, economic, political, cultural and recreational rights and freedoms of people with disabilities. The Kerry branch of the network is unique in that it is the only one of the 30 networks nationally that receives funding under the community development programme of my Department. KPwDI was established by local volunteers in 1996 following the publication of the report of the Commission on the Status of People with Disabilities. At that stage the network was part of the Irish Council of People with Disabilities, ICPD. The Kerry network's catchment area is all of County Kerry, as Deputy McEllistrim pointed out.

The project has been funded as a core-funded group within the Community Development Programme since 2001. In 2007, my Department provided €57,500 in core funding to meet the salary cost of one full-time community development worker and certain administrative expenses. In

addition to the community development worker, there are a number of other staff employed within the project, namely two part-time finance administration workers funded by the HSE and three community employment workers seconded to the project from Partnership Trá Lí.

In May 2007, the board of management of the project submitted a request to my Department for additional funding to meet the cost of employing a full time co-ordinator within the project. While acknowledging the excellent work being undertaken within the project, my Department did not recommend that additional staff resources be funded pending the outcome of a review of elements of the programme and the introduction of new programme arrangements for the period to the end of 2013. I expect that a new strategic framework for this programme will be put in place in early 2008 and the provision of additional resources to projects such as this one will be considered in that context.

Fire Services.

Deputy Liz McManus: I acknowledge the truly horrific tragedy suffered by the McElhill family in Omagh yesterday. I regret the fact that I am again compelled to raise in the House the issue of a full-time fire service in Bray. On 26 September in Bray, two brave firefighters lost their lives. Last Friday, another fire occurred on the same site. It is reported that the fire brigade arrived 28 minutes later and that it was the Greystones brigade, rather than the Bray brigade, that dealt with the fire. I understand that due to their depleted numbers only four members of the Bray brigade turned out, and they were unable to proceed to the site of the fire, resulting in the delay and the use of an outside brigade. Subsequently, when a fire occurred in a nursing home in Bray early this week, Bray Fire Brigade did turn out, and the event ended with three fire fighters and a number of gardaí suffering smoke inhalation which was sufficiently severe that they had to attend hospital.

Both of these events are a cause of serious anxiety. The case has been made for a full-time fire service and the evidence is now mounting that the current retained service is experiencing major difficulties in meeting current need. Bray is an area which normally requires a two-pump turnout, yet that appears to be not feasible at present. Ongoing concerns have also been expressed about a practice of vetting calls before calling out the fire brigade. These have never been fully allayed. The Health and Safety Authority is carrying out a report on the fire of 26 September and it is essential for the authority to review events since that date — and before that date — with reference to the fire service in Bray.

It is simply unacceptable that an essential fire-fighting service should be operated on a skeleton basis. Nor is it acceptable that fire fighters, for any reason, would not be fully protected from smoke inhalation through the use of breathing

[Deputy Liz McManus.]

apparatus. When the tragedy in Bray was debated in this House, the Minister for the Environment, Heritage and Local Government undertook to meet the families of Brian Murray and Mark O'Shaughnessy. Since that meeting, the questions raised by the families are still awaiting answers. I would be grateful if the Minister would give the House an update on the information given to the families. So far there has been no clear indication of any change of policy with regard to the need for a full-time fire service.

I presume the publication of the three reports when completed will generate considerable discussion and assessment, both at local level and in this House. However, the essential point must be made now that it is simply impossible for a local authority to take on from its own resources an additional funding requirement to make the change to a full-time service. The Minister will have to address this issue sooner or later. In the meantime, public concern about the deficiencies in the current fire service in Bray is rising. I acknowledge yet again the contribution made by the members of the retained fire service in Bray and I ask that the Minister does not ignore the problems that now exist in meeting the safety needs of the community in the town of Bray.

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen): I thank Deputy McManus for raising this matter. I pay tribute again to Brian Murray and Mark O'Shaughnessy and acknowledge the ongoing pain and loss being experienced by their families and colleagues. For most people time has passed quickly since September 26 but for the families it has been a very long and painful time. This was evident when the Minister, Deputy Gormley, and I met representatives of both families.

With regard to the incidents concerning the Bray fire service referred to by Deputy McManus, I understand that several people, including three fire fighters, were taken to hospital as a precautionary measure after the recent fire. Members of the fire services, both full-time and retained, do a very difficult job and I commend them and express on behalf of the Government our gratitude for their selfless public service. I also acknowledge that 2007 was a particularly difficult year for them. I spoke to some of the Bray crew in the aftermath of the tragedy, and the Minister and I have arranged to meet them again tomorrow night, together with

the county manager and the chief fire officer. I thank the Bray crew for their dedication before and since the tragedy. One can only imagine their terrible sense of loss as they go about their business.

The Deputy will recall that the Minister and I indicated during the private Members' debate on this issue that the provision of a fire service is the statutory responsibility of the local fire authority. In this case the local authority is Wicklow County Council. The fire authority is required under section 10 of the Fire Services Act 1981 to make provision for the delivery of fire services in its functional area, including the establishment and maintenance of a fire brigade and adequate provision for reception of and response to calls for the assistance of the fire brigade.

The provision of a full-time service for Bray has been a matter of public debate for some years. I am aware that the chief fire officer prepared a report for the local authority on options with regard to fire service provision in Bray. This report was put out for public consultation and, following further consideration by the council, I understand that its representative has written to the Minister seeking a meeting. In the meantime, however, I will take this opportunity to clarify a number of points on fire service provision.

At present, full-time fire brigades operate in larger urban areas, i.e. the cities of Cork, Dublin, Galway, Limerick and Waterford. The number of turnouts where a full-time service exists is more than 1,000 a year. The Farrell Grant Sparks report, Review of Fire Safety and Fire Services in Ireland, recommended the development of a risk-based approach to fire cover standards. The report envisaged that this new approach would help identify risk patterns and vulnerable sectors of the community and help local authority management in the determination of cover and allocation of resources. Under the Fire Services Change Programme the development of a risk-based approach to emergency cover was one of the areas included for advancement. During the process this was changed to a risk-based approach to fire safety management to reflect the need for integration of safety initiatives with emergency response. The procurement process is under way and when the process is completed and a contractor in place, fire authorities will have assistance in carrying out risk analysis in their functional areas in accordance with the system and determining the allocation of resources.

The Dáil adjourned at 9.40 p.m. until 10.30 a.m. on Thursday, 15 November 2007.

Written Answers.

The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].

Questions Nos. 1 to 10, inclusive, answered orally.

Questions Nos. 11 to 34, inclusive, resubmitted.

Questions Nos. 35 to 43, inclusive, answered orally.

Litter Pollution.

44. **Deputy Kathleen Lynch** asked the Minister for the Environment, Heritage and Local Government if he will amend the Litter Pollution Act 1997 which enables local authorities to take action only against properties which accumulate high densities of refuse and other waste materials in public view and prohibits action being taken in circumstances where the material is not visible; and if he will make a statement on the matter. [28689/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Litter Pollution Acts, 1997 to 2003, prohibit the leaving or throwing of litter in a public place or in any place that is visible from a public place. This includes the creation of litter in the carrying on of a business, trade or activity or in the loading, transporting or handling of items. The legislation also places an onus on occupiers of public places to keep the place free of litter. It places a similar obligation on occupiers of land to keep the land free of litter to the extent that it may be visible from a public place. The Litter Acts do not stipulate a minimum quantity of refuse or other waste material in order for a breach of the legislation to occur. It is not necessary for there to be a high density of refuse visible prior to action being taken by the relevant authorities.

Local authorities are responsible for implementing the litter laws in their own areas. In effect, this means they have responsibilities in relation to preventing and controlling litter, and

they can take action against persons who break or ignore these laws. Gardaí also have the power to issue on-the-spot fines for litter offences.

Separate legislative provisions also prohibit illegal dumping and may be invoked to deal with cases whether waste material is visible or not from a public place; section 32 of the Waste Management Acts 1996-2007 places a general duty on the holder of waste and provides that a person shall not hold, transport, recover or dispose of waste in a manner that causes or is likely to cause environmental pollution. Section 39 of the Waste Management Acts 1996-2007 provides that waste cannot be disposed of or recovered at a facility except in accordance with a licence issued by the Environmental Protection Agency. The Waste Management (Permit) Regulations, 1998 provide that, for certain specified activities, a waste permit issued by the local authority rather than a waste licence will be required.

Section 10 of the Waste Management Acts 1996-2007 sets out the penalties for any person found guilty of offences under the Act. The penalties range from a minimum fine of €3,000 or 12 months imprisonment or both on summary conviction, to a maximum fine of €15million or 10 years imprisonment or both in the case of conviction on indictment. I am satisfied that the penalties and enforcement powers under the legislation to which I have referred are adequate and appropriate, and there are no proposals to amend the law along the lines mentioned in the question.

Hunting Licences.

45. **Deputy Shane McEntee** asked the Minister for the Environment, Heritage and Local Government if he has sufficient information to make a decision on the granting of a stag hunting licence to a hunt (details supplied); and if he will make a statement on the matter. [28674/07]

60. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government if he has decided to grant a licence for a hunt (details supplied); and if he will make a statement on the matter. [27445/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 45 and 60 together.

Section 26(1) of the Wildlife Act 1976 provides that I may grant to the master or other person in charge of a pack of stag hounds, a licence authorising the hunting of deer by that pack, during such period or periods as is or are specified in the licence. The Ward Union Hunt applied to my Department for a hunting licence for the 2007/2008 season. In my consideration of the licence application I raised a number of issues of serious concern with the Ward Union Hunt including in relation to animal welfare, conservation and protection of stags generally and compliance with previous licence conditions. Meetings were held between officials of my Department and representatives of the Ward Union Hunt and correspondence was exchanged with the Hunt in order to convey my serious concerns to the Hunt and provide the Hunt with an opportunity to address these concerns.

I have given careful consideration to the responses provided by the Ward Union Hunt. There are however some outstanding issues that need to be resolved and I may require further information before coming to a definitive conclusion. I appreciate that this is a difficult issue for all concerned and I can assure Deputies that the matter is receiving my careful and urgent consideration.

Traveller Accommodation.

46. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government his views regarding the provision of Traveller accommodation by local authorities; the number of indigenous families in respect of each local authority; and if he will make a statement on the matter. [28427/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): Since the enactment of the Housing (Traveller Accommodation) Act 1998, each local authority has adopted two successive Traveller Accommodation Programmes. In the course of the first programmes, covering the period 2000 to 2004, some 1,371 additional Traveller families were provided with permanent, secure accommodation. Over the same period there was a 50% reduction in the number of families living on unauthorised sites, down from 1,207 families at the start of the programmes to 601 families at their completion. Significant progress is being made nationally under the second

Traveller Accommodation Programmes 2005 to 2008, with some 1,001 units of new and refurbished Traveller specific accommodation having been provided so far. Expenditure to date on the second programmes exceeds €90 million.

One of the significant developments during the period of both Traveller Accommodation Programmes has been the establishment of structures and mechanisms at both national and local level to ensure that all services provided to Travellers by statutory agencies, including accommodation, are delivered in a more effective and co-ordinated way. In that context, my Department continues to work in partnership with the National Traveller Accommodation Consultative Committee, in facilitating the development of strategies at national level to further improve the accommodation position of Travellers and to accelerate its provision. At local authority level, Local Traveller Accommodation Consultative Committees have been established to advise on the provision and management of accommodation for Travellers.

Broader Traveller-related issues are addressed at national level by the High Level Group on Traveller Issues, chaired by the Minister of State at the Department of Justice, Equality and Law Reform. This group works closely with my Department to ensure effective co-ordination, at local level, of the provision of all services to Travellers. In that context, local authorities, through the City/County Development Boards, are actively engaged in putting the necessary structures in place to ensure effective liaison and co-ordination of services provision to Travellers, using an inter-agency approach.

I propose to circulate with the Official Report a tabular statement setting out the number of Traveller families located in each local authority area. The figures are based on the Annual Count of Traveller families undertaken by local authorities in November, 2006.

No. of Traveller Families by local authority at November 2006

Local Authority	No. of families
Carlow	119
Cavan	63
Clare	187
Cork (City)	275
Cork (County)	273
Donegal	184
Dublin (City)	579
Dun Laoire/Rath.	109
Fingal	329
Galway (City)	392
Galway (County)	470
Kerry	305
Kildare	117
Kilkenny	106

Local Authority	No. of families
Laois	121
Leitrim	55
Limerick (City)	76
Limerick (County)	439
Longford	321
Louth	332
Mayo	243
Meath	192
Monaghan	109
Offaly	220
Roscommon	70
Sligo	111
South Dublin	515
North Tipperary	160
South Tipperary	134
Waterford (City)	189
Waterford (County)	30
Westmeath	243
Wexford	453
Wicklow	170
Totals	7,691

Environmental Policy.

47. **Deputy Eamon Gilmore** asked the Minister for the Environment, Heritage and Local Government the progress made to date in delivering on commitments made in the Agreed Programme for Government in relation to integrating environmental considerations into policy formulation, linked with existing social partnership mechanisms and, in particular, establishing Comhar as a body within the National Economic and Social Development Office under the aegis of his Department; and if he will make a statement on the matter. [26055/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The integration of environmental considerations into policy formulation has been central to policy making for a number of years. The specific commitments in the Programme for Government to introduce arrangements for the representation of environmental issues in Social Partnership, to increase the resources available to Comhar-Sustainable Development Council and to establish it as a body within the National Economic and Social Development Office (NESDO) will further support the integration process.

The arrangements for the representation of environmental issues in the Social Partnership process will, as stated in the Programme, be considered in the context of the overall review of Towards 2016 which is due to take place in 2008. Proposals from Comhar to increase significantly its capacity for policy analysis are currently being

considered, in line with the commitment in the Programme for Government to provide increased resources for that purpose. Arrangements for giving effect to the commitment to establish Comhar as a body within NESDO are being given careful consideration in order to ensure that the effective operation of both Comhar and NESDO is not compromised by any changes in structure.

Election Management System.

48. **Deputy Jim O’Keeffe** asked the Minister for the Environment, Heritage and Local Government if he has proposals to widen the Seanad Éireann electorate for the higher education constituencies where, at present, graduates of universities and colleges other than NUI or Trinity are denied the right to vote and where the necessary constitutional change to permit the extension of voting rights was made many years ago. [26388/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Report on Seanad Reform by the Seanad Sub-Committee on Seanad Reform, published in April 2004, sets out comprehensive recommendations for further consideration and action concerning the composition, functions and future role of Seanad Éireann. The Report recommends significant reform of the Seanad electoral system, involving rolling renewal of the Seanad and the introduction of direct election to a single national 26 seat constituency, with a further 6 seats to be reserved for direct election to a separate higher education constituency to include all graduates of institutions of higher education in the State.

At the request of the Taoiseach, an Informal All-Party Parliamentary Group on Seanad Reform was established in 2005, chaired by the Minister for the Environment, Heritage and Local Government. The Group’s role was to assess the extent of cross-party agreement on the Sub-Committee’s recommendations and to advance, with consensus, proposals for the implementation of Seanad Reform. The Group addressed proposals which attracted early consensus and which are capable of implementation in the short to medium term. Prior to the general election, the Group referred a number of draft Standing Orders changes to the Seanad Committee on Procedure and Privileges to be piloted as Sessional Orders.

The Government’s Programme includes a commitment to determine the extent of cross-party agreement on the recommendations of the 2004 Report to advance proposals for implementation. This would include consideration of the widening of the franchise for the higher education constituency in Seanad Éireann. I am currently considering how best to advance the Government Programme commitment.

49. **Deputy Eamon Gilmore** asked the Minister for the Environment, Heritage and Local Government if he will amend the Electoral Acts to provide for increased transparency in the funding of political parties and for greater scrutiny of political party expenditure, as strongly urged by the Standards in Public Office Commission in its most recent annual report; and if he will make a statement on the matter. [28684/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Agreed Programme for Government contains a commitment to the establishment of an independent Electoral Commission which will take responsibility for a range of electoral matters including, inter alia, the functions currently exercised by the Standards in Public Office Commission relating to election spending; the Electoral Commission will also examine the issue of financing of the political system. I will be developing appropriate proposals in regard to the establishment of the Commission.

In addition, the Agreed Programme for Government commits to publishing a Green Paper on local government reform. One of the issues which the Green Paper will address is the question of expenditure limits at local elections. There are currently no such limits, although expenditure, as well as donations over a €635 threshold, must be disclosed. I have set in train a process of public consultation prior to the preparation of the Green Paper and established a related Consultative Committee. Work on the Green Paper should be completed by the end of this year with final proposals to be settled in a White Paper next year.

I am satisfied that the proposals for the Electoral Commission, together with the initiatives which will emerge from the Green Paper, provide an appropriate framework to progress our extensive and complex agenda for electoral and local government reform.

Waste Disposal.

50. **Deputy Deirdre Clune** asked the Minister for the Environment, Heritage and Local Government the number of incinerators that will be required to deal with municipal waste; the locations of these incinerators; and if he will make a statement on the matter. [28584/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Question No. 35 on today's order paper, in which I again confirmed that I have not made any statement in regard to the number of municipal waste incinerators which may be required. In accordance with the provisions of waste management legislation decisions in respect of the number of municipal waste incinerators which may be required are the responsibility of local authorities, in the context of the

regional waste management plans for which they have statutory responsibility, and of commercial enterprises in relation to private sector facilities. All such proposed facilities are subject to statutory planning and waste licence approval processes and my Department has no function in that regard.

I do not consider that incineration should be the cornerstone of the national approach to waste management. The Programme for Government reflects this in placing emphasis on developing the potential of other technologies involving the mechanical and biological treatment of significant quantities of municipal waste. The major international review of waste management policy which is provided for in the Government's programme is now being initiated by my Department and will in part focus on how best to advance the use of the full range of technologies available for waste management.

Recycling Policy.

51. **Deputy Emmet Stagg** asked the Minister for the Environment, Heritage and Local Government his plans for putting in place a national recycling infrastructure to process recyclable waste here as opposed to exporting it, in order to ensure accountability in respect of the action taken regarding that waste that cannot be ensured when that waste is exported to another country, and to reduce the emissions that would be the product of shipping or otherwise transporting that waste abroad; and if he will make a statement on the matter. [28694/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): While statutory responsibility for the making and implementation of regional waste management plans, including in respect of the provision of recycling infrastructure, rests with the local authority or local authorities concerned, I am determined to further develop the national recycling infrastructure so as to meet the ambitious target set out in the Programme for Government that only 10% of waste or less is consigned to landfill. The Programme also commits to further expansion of the provision of segregated waste collection and the introduction of household hazardous waste collection, such as paint cans, in all suitable recycling centres.

Since 2002 my Department has allocated some €100 million in capital grants to assist local authorities in the provision of recycling and recovery services. The projects assisted include bring bank networks, civic amenity sites, materials recovery, composting and biological treatment facilities. There is a commitment in the National Development Plan to continue to support local authority provision of infrastructure and I will ensure this commitment is met.

In view of the escalating costs to local authorities of operating the increased network of

recycling facilities, my Department has also allocated almost €30m since 2003 to these authorities to assist with the operating costs of such facilities. The costs incurred by local authorities are regularly reviewed to ensure that the available funding is distributed in an equitable manner. In addition, a Market Development Programme for Waste Resources 2007-2011 was published in April 2007. The purpose of the Programme is to promote stable demand for recovered materials and to support the achievement of economies of scale in the production of products made from recycled materials, as well as the need for more recycling infrastructure in Ireland to reduce reliance on overseas markets. The Programme also seeks to identify new applications and markets for recyclable material and secondary recycled products. Implementation arrangements for the Programme will be put in place shortly.

Local Authority Housing.

52. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government if he plans to ensure that a proportion of any newly built or acquired social housing is given to those progressing out of homelessness. [28625/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): The allocation of local authority housing is a matter for each housing authority in accordance with their scheme of letting priorities made under section 11 of the Housing Act 1988. Such schemes are required to provide that the housing authority may, from time to time, set aside, for persons of such category or categories as the authority may decide, a particular number or proportion of dwellings becoming available for letting. Where an authority sets aside dwellings, priority in the letting of those dwellings must be accorded to persons of that category. Social housing units provided by the voluntary housing sector are allocated by the voluntary body concerned in consultation with the local authority.

The need to ensure adequate accommodation for persons progressing out of homelessness is well recognised. A key focus and task of the Revised Government Strategy addressing Adult Homelessness, which is currently being finalised, will involve refocusing on the provision of accommodation in the social, voluntary and private rented housing sectors, exploiting the significant potential of the Rental Accommodation Scheme in this area and ensuring the availability of appropriate outreach and resettlement support. I consider that local circumstances and the needs of individual homeless people must be taken into account in delivering the optimum response in each case.

Services for People with Disabilities.

53. **Deputy David Stanton** asked the Minister for the Environment, Heritage and Local Government if the implementation plans regarding accessibility for public parks, playgrounds, open spaces and amenities under his Department’s sectoral plan have been drawn up; if same have been drawn up for local authority owned harbours; if not, when these will be drawn up; the action his Department or local authorities will be taking as a result of the plans; and if he will make a statement on the matter. [28713/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Following the completion of accessibility audits, local authorities are required to draw up implementation plans setting out programmes to give effect to the commitments and objectives contained in the Disability Act 2005 and the Department’s related Sectoral Plan. Each implementation plan will be published and placed on the authority’s website. I understand that nine such plans have been completed. The remaining local authorities have indicated that they are at an advanced stage in the preparation of their plans and expect to complete and publish them before the end of 2007. Where harbours are under the control of local authorities, they will be included in the implementation plans of the relevant authorities.

Each plan is required to contain targets and timeframes for carrying out the required works, and priority will be given to local authority buildings and other facilities to which access is most frequently required by people with disabilities, including public footpaths, street crossings and public amenity areas. The Department provides €15 million annually to local authorities to assist them in implementing actions under the National Disability Strategy. The Department will monitor progress on the implementation of the plans and seek reports, as appropriate, as required by the Sectoral Plan.

Question No. 54 answered with Question No. 42.

Policy on Local Government.

55. **Deputy Deirdre Clune** asked the Minister for the Environment, Heritage and Local Government if he will provide directly elected mayors for cities other than Dublin; and if he will make a statement on the matter. [28585/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Programme for Government contains a commitment to publish a Green Paper, which will examine a number of issues in relation to the organisation of Irish local government, with the objective of making local government more transparent and responsive. Areas to be examined in the Green Paper include the issue of directly elected

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Mayors. The consideration of the provision of directly elected mayors will be examined in the context of the other issues being addressed in the Green Paper, including:

- Ensuring a proper balance of power at local levels between the manager and the elected representatives;
- The establishment of town councils in those towns that have shown significant population growth in recent years, including the upgrading of the former Town Commission towns, where appropriate to full Town Councils;
- The provision of quality customer service to the public; and,
- Expenditure limits at local elections. The Government Programme also states that a directly elected Mayor for Dublin with executive powers will be introduced by 2011.

The Green Paper represents the initial phase of a transparent, inclusive policy formulation process. The purpose of a Green Paper is not to arrive at a single solution, but to present options for further consideration. In this regard, it would be premature to anticipate the conclusions that may be reached regarding the provision of directly elected Mayors in any local authority area. Work on the Green Paper should be finalised by the end of the year, with a White Paper to follow next year.

Local Authority Housing.

56. **Deputy Caoimhghín Ó Caoláin** asked the Minister for the Environment, Heritage and Local Government if he plans to initiate support for social housing schemes for women and men who are victims of domestic violence and who are leaving crisis accommodation and have ongoing support needs. [28624/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): Cosc is the new National Office within the Department of Justice, Equality and Law Reform with key responsibility for ensuring the delivery of a well co-ordinated “whole of Government” response to domestic, sexual and gender-based violence. Its remit includes overall responsibility for the co-ordination of policy relating to women and men who are victims of domestic violence.

In relation to accommodation, capital funding is available through my Department’s Capital Assistance Scheme to voluntary housing bodies providing accommodation to meet special needs, including accommodation for victims of domestic violence. My Department also recoups to the local authorities 90% of their current expenditure on accommodation related costs arising in respect

of homeless persons including, where appropriate, victims of domestic violence. The remaining 10% is provided from the revenue resources of the local authorities.

The Independent Review of Implementation of Homeless Strategies was published in February 2006. Recommendation 16 of the Review states that “Victims of domestic violence should be recognised as an at risk target group, and in this regard the National Steering Committee on Violence against Women should consider convening an expert working group to examine refuge provision and occupancy around the country.” The Government has accepted the broad thrust of the Review’s recommendations and the details fall to be considered within the framework of work already underway in my Department on the finalisation of a revised and updated Strategy on Homelessness. In that context, my Department will continue to engage with Cosc to further address the accommodation-related issues arising in relation to domestic violence.

Proposed Legislation.

57. **Deputy Liz McManus** asked the Minister for the Environment, Heritage and Local Government when he plans to introduce legislation on foot of the recommendations of the All Party Committee on the Constitution on property rights; and if he will make a statement on the matter. [28690/07]

82. **Deputy Brian O’Shea** asked the Minister for the Environment, Heritage and Local Government if he will bring in legislation in line with the recommendations of the Kenny report and the Ninth Progress Report of the All Party Oireachtas Committee on the Constitution to empower local authorities to compulsorily acquire land on it being zoned for residential development at agricultural value or its existing use value plus 25%; and if he will make a statement on the matter. [28695/07]

227. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government when he will introduce the Designated Land (Housing Development) Bill; if it will provide for a use it or lose it scheme when he launched the housing policy document, Delivering Homes, Sustaining Communities; and if he will elaborate further on the intended provisions of the Bill. [28840/07]

228. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government when he intends introducing the Designated Land (Housing Development) Bill; if he will provide for a use it or lose it scheme (details supplied); and if he will make a statement on the matter. [28865/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 57, 82, 227 and 228 together.

As indicated in reply to Question Nos. 149 and 156 of 10 October 2007, the principal recommendation in the Ninth Progress Report of the All-Party Oireachtas Committee on the Constitution (APOCC), on Private Property, was for the implementation of the central proposal of the 1973 majority “Kenny Report”, a “designated area scheme” under which local authorities would be empowered to compulsorily acquire land for general development purposes, at its existing use value plus 25%, rather than at open market value. In the light of a range of substantive legal, practical and financial considerations, successive Governments since the 1970s have not proceeded with such a scheme, and I have no proposals to do so.

However, the Government has approved the drafting of a Designated Land (Housing Development) Bill to provide for a “use it or lose it” scheme. The General Scheme of the Bill, which is under consideration by the Office of the Parliamentary Counsel, provides for—

- powers for planning authorities to enter into a binding agreement with, or impose requirements on, the owners of designated land in order to bring such land into housing development;
- an amended compensation mechanism whereby designated land, if not developed in agreement with, or in accordance with requirements imposed by, the relevant planning authority, could be compulsorily acquired at below market value; and
- as a possible alternative to compulsory acquisition, the imposition by planning authorities of an annual development incentive levy on designated land.

The APOCC report recommended, *inter alia*, that—

- there should be a ‘one stop shop’ planning procedure for strategic infrastructural projects,
- the right to compensation for the acquisition of property rights below a specified depth under the surface should be removed, and
- the existence of land purchase options should be made public to achieve transparency in property markets generally.

The Strategic Infrastructure Act 2006—

- introduced a streamlined planning consent procedure for strategic infrastructure developments, and

- amended the rules of compulsory acquisition to provide that the value of any land lying 10 metres or more below the surface shall be taken to be nil, unless it can be shown to be of greater value by a claimant.

The General Scheme referred to above also provides for mandatory registration of, and the imposition of a levy on, land purchase options.

58. **Deputy Joe Costello** asked the Minister for the Environment, Heritage and Local Government when legislation will be introduced to provide for the independent electoral commission to take responsibility for electoral administration and oversight as promised in the programme for Government; and if he will make a statement on the matter. [28682/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Agreed Programme for Government contains a commitment to the establishment of an independent Electoral Commission which will take responsibility for electoral administration and oversight, implement modern and efficient electoral practices, revise constituency boundaries, take charge of compiling a new national rolling electoral register, take over the functions of the Standards in Public Office Commission relating to election spending, and examine the issue of financing the political system. I will be developing appropriate proposals as soon as possible to take forward this extensive and complex agenda.

Waste Management.

59. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government his preferred options in regard to waste management and disposal; if it is intended to increase dependency on landfills in the future; the role he envisages for incineration and recycling; if the development of further landfills is in accord with Government policy; the extent to which toxic or other waste is being exported; his plans to meet such requirements in the future; and if he will make a statement on the matter. [28719/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Programme for Government clearly sets out the approach to waste management that will be reflected in national policy in the years ahead. It is firmly grounded in a continuing commitment to the waste hierarchy with a renewed drive towards the achievement of international best practice in the reduction, re-use and recycling of our waste. This, coupled with an increasing emphasis on technologies for the mechanical and biological treatment of waste, will significantly reduce potential reliance on landfill and incineration. It will also permit better management so as to mini-

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mise the waste, including hazardous waste, requiring to be exported.

To assist the process of ensuring that our waste management system can act in support of these objectives, my Department is initiating the major review of waste management policy foreseen in the Government's policy programme. This will be designed to ensure we have the legal, institutional and policy framework to achieve international best practice in the management of our waste.

Question No. 60 answered with Question No. 45.

Private Rented Accommodation.

61. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government the steps he is taking to ensure that all rented accommodation is inspected by local authorities; and if he will make a statement on the matter. [28377/07]

81. **Deputy Denis Naughten** asked the Minister for the Environment, Heritage and Local Government the steps he is taking to ensure that all rented accommodation is up to an acceptable standard; and if he will make a statement on the matter. [28378/07]

Minister of State at the Department of the Environment, Heritage and Local Government

(Deputy Batt O'Keeffe): I propose to take Questions Nos. 61 and 81 together.

I refer to the reply to Question No. 278 of 7 November 2007 in relation to minimum standards and inspections. The position is unchanged.

62. **Deputy Michael D. Higgins** asked the Minister for the Environment, Heritage and Local Government the income received by each local authority from the Private Residential Tenancies Board to date; if these finances are ring-fenced to inspect dwellings for suitability; and the number of inspections of dwellings undertaken by each individual council which has received these funds to date. [28687/07]

Minister of State at the Department of the Environment, Heritage and Local Government

(Deputy Batt O'Keeffe): Details of funding provided to local authorities to date by the Private Residential Tenancies Board, from the proceeds of the tenancy registration fees, are set out in the table. I expect that the balance of funding in respect of 2007, which will be of the order of a further €1.5m, will be paid early in 2008 in the light of final returns of local authority inspections in 2007. This funding is specifically to assist local authorities in carrying out their functions in relation to private rented accommodation standards and rent books. Details of dwellings inspected on a county/city basis are published in the Annual Housing Statistics Bulletins, copies of which are available in the Oireachtas Library and on my Department's website at www.environ.ie.

Funding to local authorities in relation to private rented accommodation standards and rent books

	Year 2004 (1/9/04–31/12/04 only)	Year 2005	Year 2006	Year 2007 First Tranche
County Councils				
Carlow	3,905	12,991	15,210	10,814
Cavan	3,212	7,088	7,430	5,552
Clare	3,178	11,194	19,547	17,540
Cork	13,218	48,588	44,815	45,322
Donegal	659	11,115	65,095	31,840
Dun Laoghaire-Rathdown	19,980	92,951	102,310	81,064
Fingal	10,531	77,196	117,205	75,035
Galway	8,705	19,250	22,482	23,094
Kerry	1,116	9,102	16,313	41,005
Kildare	11,089	43,099	52,473	37,434
Kilkenny	5,105	5,291	7,658	8,827
Laois	1,471	8,292	9,261	10,638
Leitrim	2,569	5,015	16,021	20,932
Limerick	11,731	15,755	18,157	20,438
Longford	152	6,357	13,955	12,295
Louth	2,214	5,647	19,396	16,498
Mayo	118	7,877	14,556	11,687
Meath	507	16,387	17,711	13,560
Monaghan	507	3,771	3,306	1,638

	Year 2004 (1/9/04–31/12/04 only)	Year 2005	Year 2006	Year 2007 First Tranche
North Tipperary	2,096	7,522	9,549	14,427
Offaly	1,099	5,311	10,209	24,393
Roscommon	727	8,095	10,056	22,382
Sligo	558	6,160	7,318	6,160
South Dublin	3,093	68,963	95,842	113,998
South Tipperary	963	5,489	5,669	6,542
Waterford	7,640	7,581	10,529	14,106
Westmeath	1,031	12,497	14,995	15,637
Wexford	1,995	11,569	13,387	10,206
Wicklow	2,688	16,742	19,270	9,963
<i>City Councils</i>				
Cork	39,047	93,957	136,019	91,319
Dublin	112,965	555,156	666,241	426,191
Galway	60,734	97,709	100,349	58,185
Limerick	11,951	36,308	60,948	41,441
Waterford	6,795	23,810	39,707	36,086
<i>Town/Borough Council</i>				
Carlow	7,843	4,107	3,790	2,486
Cavan	51	1,086	2,000	1,000
Ennis	9,449	11,668	10,345	5,128
Kilrush	625	336	2,000	1,000
Fermoy	270	2,448	2,600	1,217
Macroom	2,214	987	2,000	1,000
Mallow	2,958	3,514	3,706	2,146
Kinsale	389	2,211	2,260	1,000
Midleton	51	2,725	3,339	1,819
Youghal	2,062	2,073	2,160	1,000
Clonakilty	727	1,599	2,000	1,000
Cobh	727	2,132	2,420	1,167
Skibbereen	2,164	1,145	2,000	1,000
Buncrana	0	908	2,000	1,000
Bundoran	254	355	2,000	1,000
Letterkenny	338	4,699	4,073	2,564
Ballinasloe	2,857	4,758	3,644	1,593
Killarney	2,079	6,081	6,522	3,416
Listowel	406	987	2,000	1,000
Tralee	8,976	16,762	21,215	8,332
Athy	625	1,619	2,170	1,000
Naas	4,429	4,995	5,177	2,978
Kilkenny	101	10,089	9,578	4,367
Longford	423	2,705	5,070	1,475
Drogheda	1,318	12,359	11,691	6,341
Dundalk	6,356	4,758	4,190	2,704
Ballina	4,412	3,692	3,040	1,450
Castlebar	372	4,284	4,032	2,597
Westport	51	2,744	2,553	3,881
Kells	51	948	2,000	1,000
Navan	2,299	3,416	3,172	1,757
Trim	1,082	711	2,000	1,000

	Year 2004 (1/9/04–31/12/04 only)	Year 2005	Year 2006	Year 2007 First Tranche
Carrickmacross	1,200	671	2,000	1,000
Castleblayney	490	592	2,000	1,000
Clones	304	415	2,000	1,000
Monaghan	1,910	1,441	2,000	1,000
Nenagh	575	2,172	2,380	1,081
Templemore	51	316	2,000	1,000
Thurles	2,045	1,974	2,110	1,000
Birr	879	632	2,000	1,000
Tullamore	2,265	4,995	5,515	3,056
Sligo	9,398	12,162	14,636	12,121
Carrick-on-suir	592	1,027	2,000	1,000
Cashel	406	809	2,000	1,000
Clonmel	5,646	10,780	9,451	4,416
Tipperary	287	888	2,000	1,000
Dungarvan	2,130	3,455	3,266	1,655
Athlone	4,648	13,169	11,359	5,800
Enniscorthy	304	3,534	3,290	6,910
New Ross	778	1,441	2,210	1,086
Wexford	5,680	13,800	13,350	6,411
Arklow	372	4,916	6,373	3,543
Bray	2,924	13,149	11,090	5,818
Wicklow	1,318	3,277	3,130	2,194
Total	463,510	1,582,350	2,025,896	1,510,758

Community Development.

63. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Heritage and Local Government the steps being taken to implement the commitment given in the programme for Government to ensure that local authorities prioritise the provision of community and recreational facilities as part of their development plans; and if he will make a statement on the matter. [28679/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Question No. 145 of 10 October, 2007.

Tax Code.

64. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government if he will initiate a new motor tax compliance survey as the last survey in 2001 indicated an uncollected tax amount of €25 million; when vehicles imported by non-Irish nationals working here become liable for motor tax; and if he will make a statement on the matter. [28677/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Measures have been introduced by my Depart-

ment to combat motor tax evasion, and other enforcement initiatives are being developed in conjunction with the Garda Síochána. The increase of some 8% in motor tax revenue to end October 2007, compared with 2006, reflects a range of factors, including the impact of anti-evasion measures and increased payment levels in respect of motor tax arrears. Arrears payments have increased by 12% to end October 2007 over the same period in 2006. Consideration will be given, in consultation with other relevant authorities, to the question of holding a motor tax compliance survey next year.

Liability for motor tax on any vehicle arises when the vehicle is first used in a public place following registration of the vehicle by the Revenue Commissioners and assignment of Irish number plates.

Environmental Policy.

65. **Deputy Seán Sherlock** asked the Minister for the Environment, Heritage and Local Government the steps he has taken to ensure Ireland's compliance with the environmental liability directive to hold operators whose activities have caused environmental damage financially liable for remedying this damage and to hold those whose activities have caused an imminent threat of environmental damage liable for taking

preventative actions; and if he will make a statement on the matter. [28703/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): My Department has prepared a Screening Regulatory Impact Analysis of the options for transposing the Environmental Liability Directive. This document is available on my Department's website (www.environ.ie), and the views of interested parties have been sought on it. Preparatory work on drafting the legal instrument for transposing the Directive is underway and will be informed, inter alia, by the outcome of the consultation process.

Water and Sewerage Schemes.

66. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government the number and location of the local authorities from which he has received submissions in respect of upgrading, extending or providing new sewage treatment systems throughout the country; the extent to which he has evaluated the total cost and the urgent necessity to respond positively in respect of such submissions; if his attention has been drawn to the inadequacies in the sewage treatment systems at various locations throughout the country leading to pollution, including severe methane gas emissions; if he expects to be in a position to provide the necessary funding as and when required; and if he will make a statement on the matter. [28720/07]

231. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government if he is satisfied regarding the adequacy of supply and quality of drinking water in the future; and if he will make a statement on the matter. [28925/07]

233. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government his plans to increase the supply and quality of domestic drinking water in line with the requirements of increased population; if he will quantify his proposals in this regard; and if he will make a statement on the matter. [28927/07]

234. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government if he expects to be in a position to provide all local authorities with the funding they have requested to ensure the elimination of pollution threats caused by overloaded or outdated treatment works; and if he will make a statement on the matter. [28928/07]

235. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government the extent to which he or his

Department have identified adequate new domestic drinking water sources to meet future population requirements; and if he will make a statement on the matter. [28929/07]

238. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government if he expects to increase the capital programme for waste water treatment and domestic drinking water supply in line with demographic requirements in the coming year; and if he will make a statement on the matter. [28932/07]

240. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government if he has received technical advice from Kildare County Council in regard to the urgent need for the augmentation of the sewerage treatment system throughout the county; his proposals in this regard; and if he will make a statement on the matter. [28934/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 66, 231, 233, 234, 235, 238 and 240 together.

Each local authority was asked by my Department in 2006 to carry out a detailed assessment of the needs for capital water services infrastructure in their area and to prioritise their assessments, taking account, inter alia, of:

- national and EU environmental and public health requirements and standards, including the EU Urban Waste Water Treatment Directive, the Urban Wastewater Treatment Regulations, 2001 and the European Communities (Drinking Water) Regulations, 2000,
- relevant reports produced by the Environmental Protection Agency, on the quality of drinking water, on water quality generally and on urban wastewater discharges,
- specific reports and studies such as the National Urban Waste Water Study, County Sludge Management Plans and any other relevant studies/reports commissioned locally,
- the provisions of their Development Plans or any draft Development Plans and any strategic regional planning guidelines or local area plans,
- National Spatial Strategy objectives,
- Any remaining non-compliant water schemes listed in Annex 12 of the EU Commission's application to the European Court of Justice in respect of Ireland's implementation of the Drinking Water Directive,

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- the adequacy of existing collection networks and, in the case of anticipated development, the adequacy of the capacity of existing treatment plants,
- the need to provide for demographic, social and economic development,
- the need to address infrastructural deficits in small rural towns, and
- the outcome of River Basin District Management Projects and Characterisation Reports completed in 2005 under the Water Framework Directive.

The priorities adopted by the local authority elected members in their needs assessments were taken into account in the preparation of the €5.8 billion Water Services Investment Programme 2007-2009 which I published in September 2007 and which is available in the Oireachtas Library. Details of individual needs assessments may be obtained from the relevant local authorities.

Local Government Reform.

67. **Deputy Thomas P. Broughan** asked the Minister for the Environment, Heritage and Local Government when he expects the Green Paper on local government reform to be published; if he expects the deadline given in the programme for Government of 14 December 2007 to be met; and if he will make a statement on the matter. [28678/07]

80. **Deputy Joan Burton** asked the Minister for the Environment, Heritage and Local Government the status of applications made by towns for town council status in view of the present examination of local government being carried out by his Department; and if he will make a statement on the matter. [28680/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 67 and 80 together.

In accordance with the Programme for Government, my Department will be publishing a Green Paper on local government reform in the coming months. The Green Paper will examine a number of issues with the objective of making local government more transparent and responsive, and will set out options for reform in advance of a subsequent White Paper. Issues to be considered in the Green Paper will include the establishment of town councils in those towns that have shown significant population growth in recent years. Work on the Green Paper should be finalised by the end of the year, with a White Paper to follow next year.

The provisions for the establishment of new town councils are contained in Part 17 of the Local Government Act 2001. However, these

provisions have not been commenced and in these circumstances formal applications for new town councils cannot arise. I will give consideration to those parts of the 2001 Act which have not yet been commenced as part of the reform process.

Water Quality.

68. **Deputy Joanna Tuffy** asked the Minister for the Environment, Heritage and Local Government the steps his Department is taking to address the findings of a recent Environmental Protection Agency report that some 40% of public drinking water supplies it monitored in 2006 were not meeting required standards to protect against cryptosporidium contamination; and if he will make a statement on the matter. [28675/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Question No. 226 of 24 October, 2007.

Water and Sewerage Schemes.

69. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government the major capital water and sewerage schemes sanctioned for funding in County Donegal; the percentage of funding from Government being sanctioned for each individual scheme; and if he will make a statement on the matter. [28552/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Details, including current approved costs, of water services schemes in County Donegal that are approved for funding by my Department are set out in the Water Services Investment Programme 2007-2009 which is available in the Oireachtas Library. The level of Departmental funding in each case will be determined in consultation with the local authority in accordance with the final approved cost of the project and application of water services pricing (polluter pays) policy.

Local Authority Housing.

70. **Deputy Liz McManus** asked the Minister for the Environment, Heritage and Local Government the number of persons on local authority housing lists at the latest date for which figures are available; the steps he will take to reduce waiting lists; and if he will make a statement on the matter. [28691/07]

95. **Deputy Leo Varadkar** asked the Minister for the Environment, Heritage and Local Government the number of people on the housing list in each local authority area; the number of these who are Irish, EU and non-EU nationals

for each local authority; and if he will make a statement on the matter. [27444/07]

237. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government the number of applicants for local authority housing currently on waiting lists; the length of time they have been on such lists; and if he will make a statement on the matter. [28931/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): I propose to take Questions Nos. 70, 95 and 237 together.

I refer to the reply to Question No. 512 of 13 November 2007 concerning published data relating to the most recent assessment of housing need carried out in 2005. The data include information relating to applicants’ citizenship. The Government is well placed to deliver on the commitments in *Towards 2016* to start or acquire some 27,000 new homes for those in need of social housing over the next three years. The total Exchequer provision for social housing in 2007 is almost €1.4 billion — an increase of 10% on the 2006 provision. The funding will support the commencement of a significant number of new social housing units, further progress under the regeneration programmes, as well as bringing to completion a large number of units under both the local authority and voluntary housing programmes.

Election Management System.

71. **Deputy Jack Wall** asked the Minister for the Environment, Heritage and Local Government the cost to date of the development, roll out and promotion of the electronic voting and counting system; the cost to date of storage and maintenance of the system; and if he will make a statement on the matter. [28706/07]

89. **Deputy Pat Rabbitte** asked the Minister for the Environment, Heritage and Local Government the cost to date of the development, roll out and promotion of the electronic voting and counting system; the cost to date of storage and maintenance of the system; the action required, the agency by which it is required and the time-scale to facilitate the re-introduction of the stored machines; and if he will make a statement on the matter. [28685/07]

92. **Deputy Seán Barrett** asked the Minister for the Environment, Heritage and Local Government his views on the 25 year storage contracts entered into by a number of returning officers to store electronic voting machines; if he made allowance for depreciation and obsolescence of the said machines; if it is intended to use these machines in future elections; if he has noted the decision by the authorities in the Netherlands to

abandon electronic voting for the foreseeable future; and if he will make a statement on the matter. [25290/07]

99. **Deputy Róisín Shortall** asked the Minister for the Environment, Heritage and Local Government when the Cabinet committee on electronic voting last met; when a final decision will be made as to whether to proceed with electronic voting; if he has plans for disposal of the electronic voting machines [28705/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 71, 89, 92 and 99 together.

The total cost incurred to date in the development and roll-out of the electronic voting and counting system is €51.3 million (including €2.6 million in respect of awareness and education initiatives). In addition, information provided by returning officers to my Department indicates that the total annual storage costs incurred by them in respect of the electronic voting machines and ancillary equipment in 2007 is some €528,000, with figures for 2004, 2005 and 2006 amounting to some €658,000; €696,000; and €706,000 respectively. The projected lifespan of the electronic voting machines is twenty years and they do not require maintenance on an ongoing basis.

Historically, responsibility for the security and safe storage of manual voting equipment has been a matter for returning officers who are statutorily responsible for conducting the polls. Accordingly, similar responsibility was assigned to returning officers in regard to the storage of the electronic voting equipment. The Government decision to proceed with the movement of the electronic voting equipment to centralised premises was made taking into account a range of factors, including costs of current and centralised arrangements and the likely benefits to be realised. Costs incurred to date in respect of the centralised storage arrangements are some €303,000. Further costs will be incurred in relation to the completion of these arrangements, including buy-out costs.

The Cabinet Committee on Electronic Voting established by the previous Government last met on 13 February 2007. As I have already indicated, I am at present considering the next steps to be taken in relation to the electronic voting and counting project. In this regard, I will take into account the work of the Commission on Electronic Voting, relevant experiences and developments internationally, and the need to maintain public confidence in the electoral process, as well as the provisions in the *Agreed Programme for Government* relating to electoral reform generally.

Environmental Policy.

72. **Deputy Simon Coveney** asked the Minister

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for the Environment, Heritage and Local Government his views on the call of British Minister, Mr. Hillary Benn, to end the sale of 150 watt light bulbs by January 2008; and if he will make a statement on the matter. [23131/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Questions Nos. 151 of 10 October and 1102 of 26 September 2007. The position is unchanged.

Question No. 73 answered with Question No. 42.

Planning Issues.

74. **Deputy Joe McHugh** asked the Minister for the Environment, Heritage and Local Government the proposed distances from private dwellings to wind turbines; and if there will be rural and urban consideration. [28102/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): On 25 October 2007 my Department launched a public consultation process on proposed amendments to the exempted development provisions of the Planning and Development Regulations 2001 to provide exemptions for certain renewable energy technologies for use in the industrial, commercial, public and agricultural sectors. The overall aim is to ensure that the planning system supports the use of renewable energy technologies, thereby supporting wider Government efforts to tackle climate change. This follows the introduction, in February 2007, of exemptions for micro-renewable technologies for use in the domestic context based on a similar consultation process in late 2006.

The current proposals include exemptions for combined heat and power facilities, wind turbines, heat pumps, solar panels and biomass heaters in each sector, subject to certain conditions relating to safety, visual and noise impacts. The conditions are necessary to help achieve the right balance between maximising the impact of the exemptions on uptake of renewable energy on the one hand, and on adequately addressing the potential impacts on visual amenity, noise, and safety considerations on the other.

As set out in the consultation document, it is proposed that the erection of a wind turbine of up to 20 metres in height within the curtilage of an industrial, commercial, public, or agricultural building, would be exempt from planning permission requirements, subject to a number of conditions. In relation specifically to distances from dwellings, one of the proposed conditions would require that such a turbine would be sited at a minimum of 100 metres from the nearest inhabited dwelling.

It is, of course, open to any person to make a submission to my Department on any aspect of the proposed exemptions, set out in the consultation document, before 18 January 2007. I look forward to as many people as possible involving themselves in this process.

Private Rented Accommodation.

75. **Deputy Michael D. Higgins** asked the Minister for the Environment, Heritage and Local Government if, in view of the legislative restrictions in which the Private Residential Tenancies Board operates, he is considering putting in place a licensing system for landlords which will ensure a minimum standard for the renting of residential properties. [28686/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O’Keeffe): I refer to the reply to Question No. 107 of 10 October 2007. The position is unchanged.

Building Regulations.

76. **Deputy Jan O’Sullivan** asked the Minister for the Environment, Heritage and Local Government if county and city councils will be enabled and required to employ additional building control inspectors and enforcement staff to ensure that the Part L building regulations, including the draft regulations, are properly policed and adhered to; and if he will make a statement on the matter. [28696/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Under the Building Control Act 1990, enforcement of the building regulations, including Part L, is the responsibility of the 37 local building control authorities. Each of the authorities has a designated Building Control Officer with appropriate staff to carry out building control functions. While staffing requirements in local authorities are a matter for the County/City Manager concerned, my Department is keeping the overall employment position in the local government sector under regular review, and maintains appropriate contact with the Department of Finance in relation to the current ceiling on local authority staff numbers.

Election Management System.

77. **Deputy Joan Burton** asked the Minister for the Environment, Heritage and Local Government if the Government is planning changes to the law governing financial donations to politicians or political parties; and if he will make a statement on the matter. [23690/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Agreed Programme for Government contains a

commitment to the establishment of an independent Electoral Commission which will take responsibility for a range of electoral matters including, inter alia, the functions currently exercised by the Standards in Public Office Commission relating to election spending; the Electoral Commission will also examine the issue of financing of the political system. I will be developing appropriate proposals in regard to the establishment of the Commission.

In addition, the Agreed Programme for Government commits to publishing a Green Paper on local government reform. One of the issues which the Green Paper will address is the question of expenditure limits at local elections. There are currently no such limits, although expenditure, as well as donations over a €635 threshold, must be disclosed. I have set in train a process of public consultation prior to the preparation of the Green Paper and established a related Consultative Committee. Work on the Green Paper should be completed by the end of this year with final proposals to be settled in a White Paper next year.

I am satisfied that the proposals for the Electoral Commission, together with the initiatives which will emerge from the Green Paper, provide an appropriate framework to progress our extensive and complex agenda for electoral and local government reform.

Proposed Legislation.

78. **Deputy Joe Costello** asked the Minister for the Environment, Heritage and Local Government the progress of his consideration of legislation to regulate lobbyists as promised in the programme for Government; and if he will make a statement on the matter. [28683/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

Arising from previous research completed by the Institute of Public Administration on behalf of the Department in 2004, my Department commissioned further research by a Trinity College / Dublin City University joint team to establish a clear profile of formal systems for regulating lobbyists in public life in certain jurisdictions, thereby facilitating an assessment of their relevance to public life in Ireland. This research report, entitled *Examining and Assessing the Regulation of Lobbyists in Canada, the USA, the EU institutions, and Germany* has been published electronically on my Department's website and copies of the report were placed in the Oireachtas Library in June 2007.

The Programme for Government includes a commitment to consider legislation to regulate lobbyists, and this will be taken forward having regard to the conclusions of the Trinity College / Dublin City University report and emerging developments at international level.

Departmental Correspondence.

79. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government if he will respond to correspondence (details supplied); and if he will make a statement on the matter. [24852/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): This correspondence was received in my Department recently and a reply will issue as soon as possible.

Question No. 80 answered with Question No. 67.

Question No. 81 answered with Question No. 61.

Question No. 82 answered with Question No. 57.

Services for People with Disabilities.

83. **Deputy David Stanton** asked the Minister for the Environment, Heritage and Local Government if his Department has established a Disability Act sectoral plan advisory committee under his Department's sectoral plan; the membership of this committee; if it has met since its establishment; if each of the local authorities has established procedures for the monitoring and review of the Disability Act 2005 and sectoral plans at local level; and if he will make a statement on the matter. [28714/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

My Department has established a Disability Act Sectoral Plan Advisory Committee and its first meeting was held in June 2007. Membership of the Committee is comprised of representatives of organisations representing people with disabilities, local authorities, the Library Council and my Department. The second meeting of the Committee is scheduled to take place in December 2007.

I understand that local authorities have put in place procedures for monitoring and review of the commitments in both the Disability Act and the Sectoral Plan, including consultations with representatives of people with disabilities in their respective areas.

Waste Disposal.

84. **Deputy Róisín Shortall** asked the Minister for the Environment, Heritage and Local Government the markets he has identified as being interested in purchasing the product of mechanical biological treatment in view of the need for such markets to be available if mechanical biological treatment is to be sustainable as a waste management option; and if he will make a statement on the matter. [28704/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Programme for Government includes a commitment to the introduction of mechanical biological treatment (MBT) facilities as one of a range of technologies to meet targets for diverting biodegradable waste from landfill required under the Landfill Directive (1999/31/EC). High quality mechanical and biological treatment of residual municipal waste generates a number of outputs and will contribute to further improvements in municipal waste recovery and recycling and a reduction in reliance on landfill. Current prices indicate that demand for plastics and metals, including those extracted during the MBT process, remains at a high level.

Solid recovered fuel (SRF), the output of the mechanical separation phase of MBT, can be used as a fuel in an incineration plant or co-incinerated in cement kiln or power generation plant. The European Committee for Standardisation (CEN) is currently developing a standard for SRF to standardise the classification of solid recovered fuels and to establish their acceptability in the fuel market across the European Union.

In Ireland, the Environmental Protection Agency's (EPA) Research Technological Development and Innovation (ERTDI) Programme 2000-2006 issued a Call for proposals in the area of Waste and Resource Management in July 2005. Theme Two related to Developing Sustainable Organic Waste Management and Composting and a study now being carried out into the potential contribution of MBT to biodegradable municipal waste management in Ireland will inform future policy.

In addition, a Market Development Programme for Waste Resources 2007-2011 was published in April 2007. The purpose of the Programme is to promote stable demand for recovered materials, including materials recovered at MBT plants, and to support the achievement of economies of scale in the production of products made from recycled materials, as well as the need for more recycling infrastructure in Ireland to reduce reliance on overseas markets. The Programme also seeks to identify new applications and markets for recyclable material and secondary recycled products. Implementation arrangements for the Programme will be put in place shortly.

Social and Affordable Housing.

85. **Deputy Brian O'Shea** asked the Minister for the Environment, Heritage and Local Government the number of social houses and affordable houses provided in 2006 and to date in 2007; the number expected to be provided by the end of 2007; if his attention has been drawn to the increase in the numbers applying for affordable housing in some areas; the steps he is taking to deal with the backlog. [28692/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): The needs of some 14,686 households were met through the full range of social and affordable housing measures in 2006. The total number of social housing units completed by local authorities and the voluntary and co-operative housing sector in the first six months of 2007, at 3,167 units, is up 33% on the first six months of 2006 and represents the strongest level of activity on the programme this decade. In addition, some 450 new units were acquired under the Rental Accommodation Scheme.

Funding has been provided in 2007 to meet the commitments in Towards 2016 to start/acquire some 9,000 units of social housing. This will be through a combination of local authority, voluntary and co-operative housing units and new supply under the Rental Accommodation Scheme. Good momentum is being made in achieving these targets with 11,500 social housing units in progress at the end of June, 2007. While comprehensive information on the numbers applying for all affordable housing schemes is not collected by my Department, the indications are that demand for affordable housing remains strong in certain areas, particularly in the Greater Dublin Area and near other major urban centres.

In response, increased affordable housing activity is evident, supported in particular by the continued increase in momentum under Part V of the Planning and Development Acts 2000 to 2006. Following a 20% increase in overall affordable housing delivery in 2006, when over 3,200 units were provided, output in the first six months of 2007, at 1,192 homes, is up 5% on the corresponding period in 2006. In excess of 5,000 units were in progress at the end of June 2007 and a strong focus on delivery continues to be maintained in order to achieve further momentum towards the achievement of the 5,000 unit target for the year. This is being supported by the work of the Affordable Homes Partnership, which has a particular focus on initiatives to increase the supply of affordable housing in the Greater Dublin Area.

Traveller Accommodation.

86. **Deputy Paul Kehoe** asked the Minister for the Environment, Heritage and Local Government the powers of local authorities to deal with illegal parking of Travellers on public or private property that results in safety risks to road users and Traveller families; and if he will make a statement on the matter. [28429/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): The principal powers of local authorities to deal with the unauthorised placing of temporary dwellings on public property, under legislation coming within the ambit of

my Department, is contained in the Local Government (Sanitary Services) Act 1948, and Section 10 of the Housing (Miscellaneous Provisions) Act 1992, as amended by Section 32 of the Housing (Traveller Accommodation) Act 1998 and Section 21 of the Housing (Miscellaneous Provisions) Act 2002. The relevant provisions of the Criminal Justice (Public Order) Act 1994 concerning offences relating to entering and occupying land without consent or the bringing of any object onto such land are a matter for my colleague the Minister for Justice, Equality and Law Reform.

Building Regulations.

87. **Deputy Terence Flanagan** asked the Minister for the Environment, Heritage and Local Government when his promised examination of the issues related to pyrite in homes in north County Dublin will be concluded; and if he will make a statement on the matter. [24851/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I refer to the reply to Question Nos. 592 and 593 of 23 October 2007. The National Standards Authority of Ireland (NSAI) has initiated a public consultation process on a proposed amendment to SR 21 — Guidance on the use of I.S. EN 13242:2002 — Aggregates for unbound and hydraulically bound materials for use in civil engineering work and road construction. The proposed amendment incorporates a specification for hard-core for concrete floors. The consultation period will end on 26 November 2007.

It is my intention to adopt any recommendation of the NSAI in this regard, when available, in the relevant Technical Guidance Document to the Building Regulations.

Departmental Funding.

88. **Deputy James Bannon** asked the Minister for the Environment, Heritage and Local Government the plans he has to counteract the plans to cut funding for the Environmental Protection Agency, the Irish Heritage Trust and the Heritage Council in budget 2008. [28492/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The financial provisions for the bodies in question and other provisions for my Department are, at this stage, Pre Budget Estimates in accordance with new procedural arrangements for public service estimates introduced by the Minister for Finance. Following the determination of expenditure levels for next year to be outlined in Budget 2008 by the Minister for Finance, the financial provisions for these areas in my Department's Expenditure Estimates will be finally determined and published in the Revised Estimates Volume for 2008.

Question No. 89 answered with Question No. 71.

Social and Affordable Housing.

90. **Deputy Arthur Morgan** asked the Minister for the Environment, Heritage and Local Government his real intentions regarding the provision of social housing units until 2010 in view of the fact that there have been 13,000 fewer social housing units constructed than committed to in the last national development programme; if his attention has been drawn to the fact that the Government has repeatedly committed itself to eradicating homelessness by 2010; and if he will make a statement on the matter. [28623/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe):

Significant progress on the delivery of social housing was made under the National Development Plan 2000-2006, with almost 41,000 local authority and voluntary and co-operative houses completed. The Government is committed to building on that momentum and, as agreed in Towards 2016, some 27,000 new social homes will be commenced or acquired in the 2007-2009 period. The resources being made available under the National Development Plan 2007-2013 will allow for similar levels of activity post 2009 and it is estimated that some 60,000 new units of social housing will be provided over the full period of the Plan. The actual delivery will be determined as part of the mid-term review of the NDP in accordance with the commitment in Towards 2016 to review progress taking account of market developments and capacity.

The commitment in the partnership agreement to eliminate the long-term occupancy of emergency homeless accommodation by 2010, similarly, remains a key objective. Work is underway on the finalisation of a revised and updated Government Strategy on Homelessness, having regard to the Independent Review of Implementation of Homeless Strategies published in 2006. A key priority will involve refocusing on the provision of accommodation in the social, voluntary and private rented housing sectors, exploiting the significant potential of the Rental Accommodation Scheme in this area and ensuring the availability of appropriate outreach and resettlement support.

Water and Sewerage Schemes.

91. **Deputy Ruairí Quinn** asked the Minister for the Environment, Heritage and Local Government when he will enact the provision in the Environmental Protection Agency Act 1992 to subject local authorities' sewage treatment activities to an Environmental Protection Agency licensing regime in order that the agency will be better placed to regularly monitor and initiate prosecutions in relation to sewage treatment

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activities; and if he will make a statement on the matter. [28701/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

Section 59 of the Environmental Protection Agency Act 1992 provides for the making of regulations by the Minister providing for the grant of an authorisation to a sanitary authority by the EPA in respect of the discharge of effluents generally, effluents in designated areas or classes of areas or specified plants, sewers or drainage pipes or effluents discharged to designated waters or classes of waters. The Waste Water Discharge (Authorisation) Regulations 2007 were made under the European Communities Act 1972 (as amended) rather than EPA legislation so as to make provision for offences under the Regulations to be prosecuted on an indictable basis, as this was considered necessary fully to implement the Dangerous Substances and Water Framework Directives.

These Regulations provide for the authorisation by the EPA of discharges from local authority waste water treatment works and collection systems that are released to all types of receiving waters. In considering applications for authorisations, the EPA will stipulate conditions to ensure compliance with standards for various substances and conformity with obligations under a number of EU environmental directives. The Agency will periodically review discharge authorisations granted by it. Failure by a local authority to comply with conditions attaching to an authorisation will be an offence.

Question No. 92 answered with Question No. 71.

Planning Issues.

93. **Deputy Willie Penrose** asked the Minister for the Environment, Heritage and Local Government the steps he will take to ensure that Ireland complies with the environmental impact assessment directive 1, including the bringing in of legislation that will require environmental impact assessments for significant archaeological finds and the need to ensure proper environmental impact assessments for proposed incinerators; and if he will make a statement on the matter. [28699/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Part 10 of the Planning and Development Regulations 2001 as amended implements the Environmental Impact Assessment Directive, 85/337/EEC, as amended. The prescribed classes of development that require EIS are listed in Schedule 5 of the regulations. Incinerators are included in these classes of development. The regulations set out the information to be contained in the EIS and

the procedures that planning authorities, or An Bord Pleanála, follow when a planning application accompanied by an EIS is submitted.

Schedule 6 of the regulations sets out the information to be contained in an EIS and specifies that it must include ‘a description of the aspects of the environment likely to be significantly affected by the proposed development, including in particular — material assets, including the architectural and archaeological heritage, and the cultural heritage’.

As indicated in the reply to Question No. 161 of 25 October 2007, there is a commitment in the Programme for Government to maximise and clarify the protection provided to our archaeological heritage. On foot of this commitment I have initiated a comprehensive review, in consultation with relevant stakeholders, of archaeological policy and practice in Ireland. It is my intention, following the review, to bring forward any necessary measures, including legislative proposals, to enhance the protection we afford to our archaeological heritage.

Local Government Elections.

94. **Deputy Ciarán Lynch** asked the Minister for the Environment, Heritage and Local Government if he plans to review local authority electoral area boundaries in advance of the next local elections particularly having regard to the significant population changes experienced in many areas since the boundaries were last reviewed in 1998 and the need for certainty in regard to the areas, with elections now less than two years away; and if he will make a statement on the matter. [28676/07]

229. **Deputy John O’Mahony** asked the Minister for the Environment, Heritage and Local Government if he will carry out a review of the boundaries for the local election in 2009; if so, when this review will be carried out; and if he will make a statement on the matter. [28907/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 94 and 229 together.

Unlike for Dáil and European Parliament constituencies, there are no legal requirements in relation to the frequency of local electoral area reviews. The last review of local electoral areas was carried out in 1998; the next local elections are due to take place in 2009. I am at present considering the issues around a review of local electoral areas and I expect to be in a position to make a statement on the matter shortly.

Question No. 95 answered with Question No. 70.

Environmental Policy.

96. **Deputy Ruairí Quinn** asked the Minister for the Environment, Heritage and Local Government the measures he will take in respect of the impact of climate change on coasts and landscapes here; the measures proposed by him in respect of climate adaptation measures to deal with the effects of climate change here; and if he will make a statement on the matter. [28700/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The National Climate Change Strategy 2007-2012, published in April of this year, recognises that Ireland will experience significant impacts on its natural and physical environments as a result of climate change and that many of these impacts are now unavoidable. The Strategy therefore commits to the development of a national adaptation strategy within two years to provide a framework for the integration of adaptation issues into decision-making at national and local level.

The Environmental Protection Agency is managing an ongoing programme of research that is contributing to an improved understanding of future climate change impacts on Ireland and resulting adaptation requirements.

Housing Grants.

97. **Deputy Arthur Morgan** asked the Minister for the Environment, Heritage and Local Government if his attention has been drawn to the fact that the new revised housing adaptation scheme for adapting houses for people with disabilities is still inadequate as it does not provide 100% funding to owner-occupiers affecting low-income households greatly and that the 5% funding shortfall and the maximum grant of €30,000 will often not cover the cost of works which often produces problems due to the well documented links between poverty and disability. [28622/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): The Housing Adaptation Grant Scheme for People with a Disability is intended to assist with works which provide additional or adapted accommodation in private houses. The scheme is not designed to cover the full cost of works for all applicants. However, local authorities may provide reconstruction loans to qualified applicants who have difficulty in obtaining finance to meet the balance of the cost.

Significant improvements have been made to the terms and conditions of the adaptation grant scheme for people with a disability in recent years. In 2001, the percentage of works covered by the grant was increased from two-thirds to 90%. Under the revised scheme the Housing Adaptation Grant has been further improved and may now cover up to 95% of the approved cost

of works. The maximum grant available under the new scheme has been increased from €20,320 to €30,000. Furthermore the grant level will increase annually in line with the building cost index, thus protecting its value into the future.

Fire Services.

98. **Deputy Martin Ferris** asked the Minister for the Environment, Heritage and Local Government if he will make a statement on the need for all local fire services to be provided with standardised training. [28439/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen): The training of fire service personnel is the statutory duty of individual fire authorities. Fire authorities provide initial recruit training, as well as training in the use of breathing apparatus to an agreed national syllabus, to all entrants to the fire service. Additionally, fire authorities provide ongoing training, including training in response to specialist incident types, such as road traffic accidents, hazardous materials, rescue from heights, water rescue, fires involving ships, as appropriate to the hazards in their functional areas.

The Fire Services Council, established in 1983 under the Fire Services Act 1981, provides a central training programme for fire officers which complements and supplements the local training programmes of the fire authorities. The training delivered by the Council is based on national syllabi. As part of the Fire Services Change Programme fire service training will be aligned with the National Framework of Qualifications of Ireland as part of the Further Education Training Awards Council accreditation system. I am satisfied that the fire service, both retained and full-time, is a highly trained and professional service.

Question No. 99 answered with Question No. 71.

Financial Services Regulation.

100. **Deputy Mary Upton** asked the Tánaiste and Minister for Finance the reforms he has proposed to curb the actions of registered money lenders who often charge punitive interest rates; when such reforms will be introduced or published; and if he will make a statement on the matter. [28896/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): Licensed moneylenders are covered by a range of provisions under the Consumer Credit Act, 1995 including the annual licensing process administered by the Financial Regulator. In this regard, the draft Directive on credit agreements for consumers, which is now at second reading in the European Parliament, will, if adopted, give rise to the need to review the Consumer Credit Act.

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The Financial Regulator recently published a review of the licensed moneylending industry including whether it is appropriate, necessary and reasonable to change current regulatory policies. The report concluded that the introduction of an interest rate ceiling for moneylenders may not achieve the objectives of lowering the cost of credit for consumers.

The Deputy may wish to know that licensed moneylenders are subject to the Financial Regulator's Interim Code of Practice, which sets out a number of general principles that must be complied with such as acting fairly, with due skill and care, with appropriate resources and making adequate disclosure of all relevant information. The Financial Regulator has committed under its Strategic Plan for 2008 to undertake a review of the Interim Code of Practice for Moneylenders. This review has commenced and the target date for completion is December 2008.

In relation to legislation, I have recently established the Advisory Forum on Financial Legislation, representative of key stakeholder interests to advise and assist in the consolidation and modernisation of financial services legislation. It is intended that the Forum, as part of its work, will consider the basis for licensing moneylenders to facilitate lower costs.

The Financial Regulator provides information about the different forms of credit available to consumers, including credit cards, overdrafts, hire purchase, personal loans and money lending. The Financial Regulator also recommends a number of steps that borrowers should take including shopping around for the cheapest loan, reading all loan agreements, reviewing their debts from time to time and not taking on more debt than they can afford. Borrowers should immediately get in touch with the lender if they have any difficulty in meeting repayments, or contact their local MABS centre.

I strongly endorse the Financial Regulator's advice. In particular, I would urge all consumers to shop around for credit, to examine the scope to borrow from community based lenders such as credit unions, and to avail of the more detailed information which is available through the Financial Regulator's publications, help-line (Lo call 1890 77 77 77) and website: <http://www.itsyourmoney.ie>.

Tax Code.

101. **Deputy Enda Kenny** asked the Tánaiste and Minister for Finance the cost to the Exchequer of tax relief for the development of private child care facilities; and if he will make a statement on the matter. [28903/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am informed by the Revenue Commissioners that information on the scheme of tax relief for the development of private child-

care facilities was for the first time specified and separately included in personal income tax returns for the tax year 2004, which were filed in October, 2005. Based on the information that has been received and collated for the 2004 tax year, a total of €9.2 million was included in 132 claims for capital allowances for the construction of buildings used for certain childcare purposes. This figure would correspond to a maximum Exchequer cost in the order of €3.9 million for these returns in terms of income tax foregone.

I should point out, however, that Revenue were concerned at preliminary indications that in some instances the new, separately categorised data on exempt income and property incentives may not have been correctly entered on the 2004 Income Tax returns. Revenue has engaged with the tax practitioner bodies in order to ensure that this situation is rectified for future years. Corresponding data available for the 2005 tax year indicates that a total of €12.8 million was included in 232 claims for capital allowances for the construction of buildings used for certain childcare purposes. This figure would correspond to a maximum Exchequer cost of the order of €5.4 million for these returns in terms of income tax foregone. Data for the 2006 tax year is not yet available as the income tax returns for that year were not due for filing until October, 2007.

Flood Relief.

102. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Finance if he has received from Kildare County Council or otherwise, requests for funding to alleviate flooding or flooding prevention in County Kildare; and if he will make a statement on the matter. [28937/07]

Minister of State at the Department of Finance (Deputy Noel Ahern): The Office of Public Works is currently undertaking flood relief works in Leixlip in partnership with Kildare County Council. OPW currently has no other requests for funding to alleviate flooding in Kildare.

Pension Provisions.

103. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Finance the tax reduction in respect of three full-time single employees in their thirties, with the same PRSI class, the same health levy, the same basic tax credits making the same contribution to their PRSA of €5,000 a year, where none makes other pension contribution or receives further pension benefit, but where one earns €34,000, one €54,000, and one €154,000; the maximum possible contribution to their pension that each qualifies for if they were to maximise their pension contribution; and the maximum possible tax reduction that each qualifies for if they were to maximise their pension contributions. [28780/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am informed by the Revenue Commissioners that the query raised by the Deputy regarding Personal Retirement Savings Accounts (PRSAs) gives rise to two separate and distinct issues: (a) the maximum possible pension contribution that can be made; and (b) the maximum tax relief attributable to the various scenarios outlined by the Deputy. As regards (a), this is a matter for the individuals and the relevant pension providers. As regards (b), I am informed by the Revenue Commissioners that the maximum tax relief for pension contributions (i.e. contributions to occupational pensions schemes, additional voluntary contributions, PRSAs, etc.) cannot, in the aggregate, exceed the following percentages of an individual's net relevant earnings:

Age	Percentage
	%
under 30	15
30 to 39	20
40 to 49	25
50 to 54	30
55 to 59	35
60 and over	40

The tax relief due in the scenarios outlined by the Deputy is set out in the next table. There may also be savings on PRSI and the Health Contribution Levy.

The tax relief due in the scenarios outlined by the Deputy is set out. There may also be savings on PRSI and the Health Contribution Levy.

No Pension Contribution

	Person A	Person B	Person C
	€	€	€
Income	34,000	54,000	154,000
Pension Contribution	Nil	Nil	Nil
Taxable Income	34,000	54,000	154,000
Tax Payable	3,280	11,480	52,480

Pension Contribution of €5,000

	Person A	Person B	Person C
	€	€	€
Income	34,000	54,000	154,000
Pension Contribution	5,000	5,000	5,000
Taxable Income	29,000	49,000	149,000
Tax Payable	2,280	9,430	50,430
Tax savings	1,000 (i.e. €5,000 @ 20%)	2,050 (i.e. €5,000 @ 41%)	2,050 (i.e. €5,000 @ 41%)

Maximum Pension Contribution Qualifying for Tax Relief

	Person A	Person B	Person C
	€	€	€
Income	34,000	54,000	154,000
Maximum pension contribution qualifying for tax relief (20% of earnings) – see Note	6,800	10,800	30,800
Taxable Income	27,200	43,200	123,200
Tax Payable	1,920	7,052	39,852
Tax savings	1,360 (i.e. €6,800 @ 20%)	4,428 (i.e. €10,800 @ 41%)	12,628 (i.e. €30,800 @ 41%)

Note: Assuming the relevant pension plan accommodates such contributions.

104. **Deputy Jack Wall** asked the Tánaiste and Minister for Finance if changes have been made

to the child spouse section of the Civil Service pension scheme in relation to a single person who has made major financial contributions to the

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pension without financial gain to themselves, in view of the fact that they did not initially sign a contract or agreement for such deductions; his plans to reassess this aspect of the pension if no changes have taken place; and if he will make a statement on the matter. [28805/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): As Minister for Finance I have primary responsibility for the Civil Service Pension Schemes. The Deputy is aware that under current arrangements, appointment to a pensionable post in the Civil Service is conditional on (i) membership of the Main Superannuation Scheme which provides for the member's own pension benefits and (ii) membership of an associated Spouses' and Children's Scheme which covers pensions for spouses and children. Compulsory membership of the Spouses' and Children's scheme is on foot of negotiated agreements between the Civil Service unions and management.

The spouses' and children's schemes effectively provide insurance for contingency benefits. The schemes are designed on a group insurance basis and the member contribution rate is structured accordingly. The total cost of the schemes is borne on a 50/50 basis by the employer and employees.

The original Spouses' and Children's Scheme, introduced in 1969, did provide that members who remained unmarried throughout their service will be refunded their relevant contributions in full. However, a revised Scheme was introduced for all established officers on 1 September 1984 and for unestablished officers on 1 June 1986. The revised terms improved the original schemes by extending cover to "whole of life" rather than "whole of employment" situations and covering spouses and children of post retirement marriages. At the same time the circumstances in which contributions are refunded were greatly restricted. Generally, refunds are confined, in the revised schemes, to situations where service is less than two years (no entitlement or possible entitlement), or where more than 40 years (maximum possible benefit) contributions have been made.

The Commission on Public Service Pensions considered the question of compulsory membership for single people and the non-refundable nature of the contributions paid by them and decided not to recommend any change in the existing scheme rules. No consideration is being given, at present, to changing this approach to the non-refunding of contributions.

Tax Code.

105. **Deputy Bernard J. Durkan** asked the Tánaiste and Minister for Finance if he has received submissions from the IFA or other representative groups in the matter of CGT or CAT;

if he has or will examine such proposals in the context of budget 2008; and if he will make a statement on the matter. [28819/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I have received pre-Budget submissions from many representative groups on the matter of capital gains tax and capital acquisitions tax. In relation to the IFA submission, this was presented to me at a meeting on 11 October 2007 and its recommendations were discussed with IFA representatives. As the Deputy will be aware, it is not customary for the Minister of Finance to comment on possible tax changes in advance of the Budget.

106. **Deputy Bobby Aylward** asked the Tánaiste and Minister for Finance if he will meet with members of the private transport sector to discuss alternative measures which will alleviate the serious impact the loss of the fuel excise rebate will have on their industry in view of the fact that they were not informed of this situation until very recently; and if he will make a statement on the matter. [28833/07]

107. **Deputy Phil Hogan** asked the Tánaiste and Minister for Finance if he will review the recommendation that has been made regarding the removal of the refund of excise duty on fuel used in passenger transport services in view of the fact that private bus operators were not made aware of this imminent decision until recently and the consequences that the matter will have for 2008 contracts with schools and tours; and if he will make a statement on the matter. [28866/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I propose to take Questions Nos. 106 and 107 together.

The Deputies may recall that I have answered Parliamentary Questions on this issue over the past year, including on 4 July 2007. The 2003 EU Energy Tax Directive incorporated special derogations which allowed specific excise duty reliefs to be applied in a number of Member States. In the Irish context, these derogations allowed for reduced rates to apply to fuel used for public transport services which includes school transport services.

While these derogations expired on 31 December 2006, Ireland, along with other Member States, sought retention of its derogations beyond that date. However the European Commission, who are the deciding authority, have to date refused all such requests. The Commission maintain that, in keeping with the EU Energy Tax Directive, Member States must apply at least the EU minimum rates of excise on fuels in such circumstances and that any further favourable excise treatment is not allowable. In this regard the Commission's decision was published to its website in March 2007. At the Commission's behest my officials have indicated that

Ireland will avail of the forthcoming Finance Bill to make the necessary legislative changes to conform with the Directive.

In the circumstances, the relevant line Departments who have primary responsibility in this regard are, in conjunction with my Department, exploring alternative non-tax support mechanisms that could be put in place where appropriate to maintain the assistance currently being provided, subject of course to compatibility with EU State Aid requirements. In the interim the reduced rates applicable to fuel used will be maintained.

108. **Deputy Eamon Scanlon** asked the Tánaiste and Minister for Finance the supports available for equestrian centres; and if he will make a statement on the matter. [28872/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am informed by the Revenue Commissioners that the Business Expansion and Seed Capital schemes provide tax relief to investors in respect of investments in companies operating certain approved tourism facilities, including equestrian centres. Following an extensive review of the schemes in 2006, Finance Act 2007 extended the schemes to 31 December 2013 and increased the aggregate amount that a company can raise under the schemes from €1million to €2 million. The individual investment limits were increased from €31,750 to €150,000 in the case of the Business Expansion Scheme and €100,000 in the case of the Seed Capital Scheme. As the schemes are State aids, these changes required that an application be made to the European Commission for approval. This approval was received in August 2007 and a Commencement Order giving effect to the changes was signed in September 2007.

Apart from the schemes mentioned, there are no other specific tax supports or incentives available for the development of equestrian centres. However, the general position under tax law is that expenses incurred wholly and exclusively for the purposes of a trade are deductible in arriving at taxable profits. Relief is also available for capital expenditure on plant and machinery used for the purposes of a trade. Tax relief, in the form of capital allowances, may still be available under one of the general property-based incentive schemes, depending on where the premises is located and the circumstances of the case.

Under the Urban Renewal, Town Renewal and Rural Renewal schemes, tax relief is available for the construction of certain commercial premises which could include equestrian centres. However, at this stage, as these schemes are now being phased out, relief would only apply in the case of projects already established or those which met the various transitional arrangements put in place as part of the phasing out process. In general, commercial premises must be in use either by an

owner-occupier for the purposes of a trade or profession or by a lessee who is renting the premises on commercial terms.

In order to qualify for tax relief under the Urban and Town Renewal schemes the relevant local authority must certify that the particular development is consistent with the aims, objectives and criteria of the particular scheme. This does not apply to the Rural Renewal scheme. This scheme applies to the entire counties of Leitrim and Longford and to certain areas of Roscommon, Sligo and Cavan. The Finance Act 2006 provided for the ending of these schemes on 31 July 2008. However, as already indicated, this extended deadline applies only to pipeline projects where certain transitional conditions were met.

Information on the various property-based incentive schemes is available on the Revenue website at www.revenue.ie in the 'Leaflets and Guides' section and in the publication 'Tax Briefing' Issues 63, 64 and 65, also available on the Revenue website, contain articles on the transitional arrangements for the phasing out of the various property incentive schemes.

Departmental Investigations.

109. **Deputy Róisín Shortall** asked the Tánaiste and Minister for Finance the number of investigations that have been concluded or are currently under way in the Revenue Commissioners into individual security breaches or alleged breaches and or inappropriate accessing of information by staff; the basis on which each of these cases was commenced; the number of clients affected by each case; if, in relation to all investigations, they are current or completed; the sanctions that have been taken against staff; the sanction the Data Protection Commissioner has taken against the Revenue Commissioners; the number and amount of fines paid in each case; the number of civil cases that are being or have been taken against the Revenue Commissioners; and the outcome of any so far concluded. [28920/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I am advised by the Revenue Commissioners that since 1 January 2000 no investigations have been concluded or are currently underway into individual security breaches or alleged breaches by staff. Since the same date there have been seven investigations concluded and one investigation is currently underway into staff conduct involving the inappropriate accessing of information. The inappropriate accessing of information constituted access commonly referred to as "browsing" and in respect of cases concluded the Commissioners have no evidence that clients were affected.

The staff investigations were commenced under the Civil Service Disciplinary Code. Sanctions taken against staff were as provided under

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the Civil Service Disciplinary Code and ranged from the issuing of warning letters to reducing pay and debarment from applying for promotion and entering promotion competitions. The Office of the Data Protection Commissioner and the Office of the Revenue Commissioners are in ongoing contact and co-operate fully on any data protection issues that arise. To date, sanctions have not been taken by the Data Protection Commissioner against the Revenue Commissioners and no fines have been levied.

We have identified one civil case, in a context where debt collection activity was being pursued on behalf of Revenue, where High Court proceedings were taken against the Revenue Commissioners in 2005 by an individual taxpayer for an alleged breach of Data Protection and the European Convention on Human Rights. The proceedings against Revenue are being defended but have been dormant since our Defence was served on the taxpayer in April 2006.

110. **Deputy P. J. Sheehan** asked the Tánaiste and Minister for Finance if the Revenue Commissioners are investigating the circumstances and amount of wage payments made to a person (details supplied) in Dublin 12 in relation to their records on their files; when this investigation will be concluded and the employee's records corrected; and if he will make a statement on the matter. [29010/07]

Tánaiste and Minister for Finance (Deputy Brian Cowen): I have been advised by the Revenue Commissioners that they have written to the taxpayer to ascertain details of the actual wages received by him for each year that he was employed by the company in question. On receipt of this information the Revenue Commissioners will investigate the matter and will advise the taxpayer of the outcome without delay.

Health Service Staff.

111. **Deputy James Reilly** asked the Minister for Health and Children if, regarding the current controversy on cancer services at Portlaoise Hospital, the radiologist and pathologist concerned were on the register of medical specialists; if they were did they get onto the register by completing higher specialist training in the relevant field here or were they approved on recognition of their training being equivalent; if so the mechanisms in place to ensure that these doctors placed on the specialist register are actually capable of working as a competent specialist; the assessment they undergo; and if she will make a statement on the matter. [28766/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service

Executive and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular questions raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to have a reply issued directly to the Deputy in relation to the matters raised.

112. **Deputy James Reilly** asked the Minister for Health and Children the training grant for NCHDS agreed between HSEA and IMO, in particular the amount of the grant with a breakdown on what the grant is spent on and if it is being spent on the purpose which it was agreed for, namely, training courses, seminars, lectures and textbooks for junior doctors; and if she will make a statement on the matter. [28767/07]

116. **Deputy James Reilly** asked the Minister for Health and Children if, regarding junior doctors' travel expenses for specialist training here, she will report on the revolving annual fund of 1 million punts annually negotiated and agreed seven years ago, taking into account that medical line managers tell junior doctors there is no line item in their hospital budgets for this item and cannot pay out of the fund, which at today's figures would amount to a cumulative €10 million; the action taken in relation to this money; and if she will make a statement on the matter. [28777/07]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 112 and 116 together.

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The Executive is responsible for the administration of training grants and travel expenses for specialist training for NCHDs and is the appropriate body to consider the particular issues raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have these matters investigated and to have a reply issued directly to the Deputy.

Departmental Expenditure.

113. **Deputy Jack Wall** asked the Minister for Health and Children the funding supplied by her Department to the assist programme for each of the past three years; her plans to further advance this programme; and if she will make a statement on the matter. [28769/07]

115. **Deputy Jack Wall** asked the Minister for Health and Children the funding made available to the assist programme by the Health Service Executive in the Kildare/west Wicklow areas for

each of the past three years; if there has been a cut back in the services provided by the HSE in relation to this programme in 2007; and if she will make a statement on the matter. [28776/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): I propose to take Questions Nos. 113 and 115 together.

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The Executive, therefore, is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Services.

114. **Deputy Edward O’Keeffe** asked the Minister for Health and Children if home help will be allowed for a person (details supplied) in County Cork. [28772/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Question No. 115 answered with Question No. 113.

Question No. 116 answered with Question No. 112.

Hospital Services.

117. **Deputy James Reilly** asked the Minister for Health and Children the reason the patients in Connolly Hospital, Blanchardstown in need of the services of a plastic surgeon are not referred to alternative plastic surgeons in other hospitals when the incumbent half time plastic surgeon is on leave; and if she will make a statement on the matter. [28778/07]

119. **Deputy James Reilly** asked the Minister for Health and Children his views on the practice of admitting patients to Connolly Hospital to a bed in order that they can be transferred to another bed via ambulance to St. James’s Hospital for plastic surgery, when the Connolly Hospital plastic surgeon is on leave; her views on whether this practice is a waste of taxpayers

resources; and if she will make a statement on the matter. [28784/07]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 117 and 119 together.

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular issues raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matters investigated and to have a reply issued directly to the Deputy.

Data Protection.

118. **Deputy Pat Breen** asked the Minister for Health and Children the reason the Health Service Executive in the western region requests a consent form from persons when they have authorised their Houses of the Oireachtas Members to make inquiries on their behalf, when this system does not apply to all other health board jurisdictions; and if she will make a statement on the matter. [28779/07]

Minister for Health and Children (Deputy Mary Harney): My Department’s enquiries into this matter have ascertained that the HSE has issued a standard operating procedure to all staff on foot of the Data Commissioner’s recently published “Guidance Note For Data Controllers On The Release of Personal Data to Public Representatives”.

Question No. 119 answered with Question No. 117.

Medical Cards.

120. **Deputy Jan O’Sullivan** asked the Minister for Health and Children if she will ensure that people over 65 who must have a compulsory medical examination in order to renew their driving licence do not have to pay for that examination even when they have a medical card; and if she will make a statement on the matter. [28794/07]

Minister for Health and Children (Deputy Mary Harney): The law provides that persons aged 70 years or more are required to undergo a medical review for driving licence renewal purposes. This requirement falls within the remit of my colleague, the Minister for Transport.

In making arrangements for the provision of publicly funded General Practitioner (GP) services, under the General Medical Services (GMS) Scheme, an agreement was negotiated between the Department of Health and Children

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and the GP representative body, the Irish Medical Organisation (IMO). The provisions of this agreement took the form of the current GMS GP Capitation Contract. This contract is a diagnosis and treatment contract and gives effect to the statutory requirement to provide GP medical and surgical services without charge to eligible persons; this includes persons aged 70 and over, who are automatically entitled to a medical card.

The contract stipulates that the fees paid to GMS GPs are not made in respect of certain certificates which may be required, for example, “under the Social Welfare Acts or for the purposes of insurance or assurance policies or for the issue of driving licences”. As these non-treatment type services are outside the scope of the GMS GP contract, the question of a fee is a matter between the GP and the person seeking the particular service.

Health Repayment Scheme.

121. **Deputy Michael McGrath** asked the Minister for Health and Children the position regarding an application under the nursing home charges repayment scheme for a person (details supplied) in County Cork. [28800/07]

Minister for Health and Children (Deputy Mary Harney): The Health Service Executive has responsibility for administering the Repayment Scheme and the information sought by the Deputy relates to matters within the area of responsibility of the Executive. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued to the Deputy.

Health Service Staff.

122. **Deputy Damien English** asked the Minister for Health and Children the amount spent by the Health Service Executive for each of entertainment, hospitality and staff training for the past 12 months; and the breakdown under these headings for each administrative area of the Health Service Executive for the past 12 months in tabular, readable form. [28801/07]

Minister for Health and Children (Deputy Mary Harney): The management and delivery of health and personal social services, including related budgetary issues, are the responsibility of the Health Service Executive under the Health Act, 2004. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

123. **Deputy Paul Connaughton** asked the Minister for Health and Children if all permanent consultants dealing with cancer patients are listed on the special medical register; if it is deemed necessary that such permanent consultants be so registered; and if she will make a statement on the matter. [28813/07]

Minister for Health and Children (Deputy Mary Harney): Under the Medical Practitioners Act 1978, the Medical Council is the statutory body charged with responsibility for the registration of all medical practitioners and the regulation of their activities. All doctors practising medicine in Ireland should be registered with the Medical Council. The Council maintains two registers, the General Register of Medical Practitioners and the Register of Medical Specialists. The Register of Medical Specialists is a voluntary register. Only doctors holding full registration with the Medical Council can apply for inclusion therein.

The Medical Practitioners Act 2007 was signed into law earlier this year and provides for a new system of registration. There will be a new register with 4 divisions including a Specialist Division. Registration in the Specialist Division will be mandatory for those with specialist qualifications. Preparations for the implementation of the provisions of the Act are underway.

Services for People with Disabilities.

124. **Deputy Damien English** asked the Minister for Health and Children the reason a child (details supplied) in County Meath who had been receiving early intervention services until their sixth birthday, has been refused services on application to transfer to the disability services; if she will re-examine this application with a view to awarding the vital services needed; and if she will make a statement on the matter. [28817/07]

Minister of State at the Department of Health and Children (Deputy Jimmy Devins): The Disability Act 2005 is a central element of the National Disability Strategy. Part 2 of the Act commenced for children with a disability, including those with autism, aged under five years with effect from 1st June 2007 and provides for an independent assessment of need for such persons and for a formal statement of the services that will be provided to them arising from the assessment. Part 2 of the Disability Act 2005 will be commenced in respect of children aged 5-18 in tandem with the implementation of the Education for Persons with Special Educational Needs Act 2004.

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 Execu-

tive to arrange to have this matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

125. **Deputy James Reilly** asked the Minister for Health and Children if the Hanly report is Government policy; if so, the way it will be possible to reduce junior doctors to 2000 when it is clear that almost 1000 junior doctors are thought to be eligible for contracts of indefinite duration; the way, in view of the fact that plans are well advanced to increase graduates from medical schools to over 700 per year, the system will accommodate training places for these doctors as it appears there will be very few places available for them; and if she will make a statement on the matter. [28818/07]

Minister for Health and Children (Deputy Mary Harney): Government policy on medical staffing and medical education and training is informed by a number of reports including the Report of the National Task Force on Medical Staffing (Hanly), the Report of the Undergraduate Medical Education and Training Group (Fottrell), and the Report of the Postgraduate Medical Education and Training Group (Buttimer).

The Medical Practitioners Act 2007 provides the statutory basis for many of the reforms proposed in the Buttimer Report including phasing out NCHD posts of limited training value. Provision has been made for the number of medical school places for EU students to be increased from 305 to 725. This will be made up of a new graduate entry stream, which will provide an additional 240 EU medical school places per annum on the basis of 60 per year over a 4 year period, and increasing the number of EU undergraduate places to 485 on the basis of substitution of 180 non-EU places. An additional 70 EU undergraduate places were provided in 2006 and a further 40 EU undergraduate places were provided in 2007, bringing the number of EU undergraduate places to 415. The first 60 graduate entry places were also provided in 2007.

Government has also approved, provision for an expansion of intern posts from 2011. There are currently sufficient numbers of intern posts in the health service to place any Irish/EU students graduating in the next 3 years. The Protection of Employees (Fixed Term Work) Act 2003 was introduced to ensure that a fixed-term employee is not treated in a less favourable manner than a comparable permanent employee. My Department, the Health Service Executive, the medical organisations and other major stakeholders are participating in a forum to agree guidelines on the drafting of contracts of employment which are compatible with the requirements of the legislation. These guidelines are currently being finalised.

Health Services.

126. **Deputy Dan Neville** asked the Minister for Health and Children if she will extend the number of home care packages available to County Limerick. [28830/07]

Minister of State at the Department of Health and Children (Deputy Máire Hackett): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

127. **Deputy Leo Varadkar** asked the Minister for Health and Children when the complaint from a person (details supplied) in Dublin 15 will be answered in view of the fact that the Health Service Executive commitment to respond in 30 days has not been honoured; and if she will make a statement on the matter. [28837/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Hospital Waiting Lists.

128. **Deputy Bobby Aylward** asked the Minister for Health and Children if she will ask the Health Service Executive to urgently examine the case of a person (details supplied) in County Kilkenny who is awaiting admission to St. James's Hospital in Dublin for surgery and other medical procedures for some time; and if she will make a statement on the matter. [28842/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Ambulance Service.

129. **Deputy Andrew Doyle** asked the Minister for Health and Children the outcome of the review of ambulance personnel and recruitment embargoes that was to take place at end of October 2007. [28849/07]

Minister for Health and Children (Deputy Mary Harney): Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of its Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

The Deputy may wish to note that the current recruitment pause is a temporary measure initiated as part of the HSE financial break-even plan. The HSE recognises that there are some critical or exceptional circumstances where appointment of staff may be necessary in front-line services. Accordingly a process has been put in place to evaluate, monitor and approve requests for derogation from the general recruitment pause. A group has been established which is meeting weekly to consider such applications.

130. **Deputy Andrew Doyle** asked the Minister for Health and Children if she is satisfied that the front line ambulance service will be properly fulfilled under the present staffing arrangements. [28850/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

131. **Deputy Andrew Doyle** asked the Minister for Health and Children the number of relief and permanent personnel in the ambulance service. [28851/07]

132. **Deputy Andrew Doyle** asked the Minister for Health and Children the amount paid in overtime in the ambulance service. [28852/07]

133. **Deputy Andrew Doyle** asked the Minister for Health and Children if undue overtime requirements are demanded of an already overstressed ambulance service. [28853/07]

Minister for Health and Children (Deputy Mary Harney): I propose to take Questions Nos. 131 to 133, inclusive, together.

Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The Executive, therefore, is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Hospital Services.

134. **Deputy Martin Mansergh** asked the Minister for Health and Children her views on whether there are already many centres of excellence operating in public hospitals; and if there has been research carried out into outcomes in this country that would have a bearing on decisions on where or how specific hospital faculties within a region or the country should be brought together. [28868/07]

Minister for Health and Children (Deputy Mary Harney): There is an abundance of strong, international evidence to show that patients with cancer have the best chance of survival if they are treated by clinicians who treat a large number of patients with a similar condition per year. To secure these benefits requires a consolidation of cancer treatment services to a smaller number of centres and a smaller number of clinicians.

A clear case for the re-organisation of the delivery of cancer services in Ireland was articulated in “A Strategy for Cancer Control in Ireland, which was prepared by the National Cancer Forum. The Strategy recommended a move towards eight cancer centres nationally to ensure that cancer patients have access to consistently high quality care and the best chance of survival. As part of the development of the Strategy, the Forum reviewed patterns of surgical activity in Ireland, and concluded that “the current arrangements for the delivery of cancer services are not generally in accordance with best practice and cannot be recommended to deliver best-quality cancer care”.

The recent decisions of the HSE in relation to four managed cancer control networks and eight cancer centres will be implemented on a managed and phased basis. Professor Keane, interim Director of the National Cancer Control Programme, is due to take up his post on 19 November. The delivery of cancer services on a

programmatic basis will serve to ensure equity of access to services and equality of patient outcome irrespective of geography. Professor Keane will be engaging in detailed planning to facilitate the orderly phased transfer of services between locations. The HSE plans to have completed 50% of the transition of services to the cancer centres by end 2008 and 80-90% by end 2009.

135. **Deputy Ciarán Lynch** asked the Minister for Health and Children if her attention has been drawn to the fact that children diagnosed with insulin dependent diabetes who are denied comprehensive treatment at Cork University Hospital due to the recruitment embargo must await the outcome of the 2008 Estimates process to establish if improvement in service is planned; and if she will make a statement on the matter. [28878/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular issue raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Services.

136. **Deputy Tony Gregory** asked the Minister for Health and Children the reason the eastern community works programme in Thomas Street, Dublin 8 is being discontinued by the Health Service Executive; the provision being made for the staff involved; and if she will make a statement on the matter. [28880/07]

Minister of State at the Department of Health and Children (Deputy Máire Hackett): Operational responsibility for the management and delivery of health and personal social services was assigned to the Health Service Executive (HSE) under the Health Act 2004 and funding for all health services has been provided as part of its overall vote. The HSE's responsibility includes the operation of the Housing Aid Scheme for the Elderly, on behalf of the Department of Environment, Heritage and Local Government. Therefore, the Executive is the appropriate body to consider the particular matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Medical Cards.

137. **Deputy Tony Gregory** asked the Minister

for Health and Children, further to her reply to Parliamentary Question No. 253 of 16 October 2007, if a public hospital may charge a fee to an elderly person on a medical card for a bone scan on the basis that the scanning equipment was privately funded through a hospital foundation; and if she will make a statement on the matter. [28882/07]

Minister for Health and Children (Deputy Mary Harney): A person with full eligibility who opts to be treated as a public patient in a public hospital should not be charged. My Department has instructed the HSE to ensure that such patients are not so charged.

Cancer Screening Programme.

138. **Deputy Finian McGrath** asked the Minister for Health and Children if there has been a review of mammography services in Cork University Hospital; if so, when the parameters of the review and findings of the review will be available to the public; and if she will make a statement on the matter. [28901/07]

Minister for Health and Children (Deputy Mary Harney): The Health Information and Quality Authority (HIQA) is currently in the process of completing an investigation, in accordance with Section 9 (1) of the Health Act 2007, which includes examination of the pathology services provided by the HSE at Cork University Hospital as part of symptomatic breast disease services provided to a patient by the HSE. The full terms of reference for this investigation have already been made available to the public and are on the HIQA website (www.hiqa.ie). The review is expected to be completed in the near future and the result of the investigation to be made public as soon as possible.

139. **Deputy Finian McGrath** asked the Minister for Health and Children if there has been a review of mammography services or any aspect of cancer services in St. Vincent's Hospital in the past three years; if so, the results of this audit or if the review is ongoing when the results will be available to the public. [28902/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall vote. Therefore, the Executive is the appropriate body to consider the particular questions raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to have a reply issued directly to the Deputy in relation to the matters raised.

Child Care Services.

140. **Deputy Enda Kenny** asked the Minister for Health and Children the amount of capital funding which has been made available to developers or individuals to develop private child care facilities in each of the years 2000 and 2007; and if she will make a statement on the matter. [28904/07]

Minister of State at the Department of Health and Children (Deputy Brendan Smith): As the Deputy will be aware, I have responsibility for the Equal Opportunities Childcare Programme 2000 — 2006 (EOCP) and the National Childcare Investment Programme 2006 — 2010 (NCIP), which are being implemented by the Office of the Minister for Children (OMC). Under the EOCP, capital grants up to €50,790 were made available to private childcare providers, up to a maximum of 65% of the total cost. During 2000, capital funding of €1,579,792 was approved for private childcare providers under the Programme. Under the NCIP the upper limit on grant aid was increased to €100,000, up to a maximum of 75% of the total cost. During 2007, to end October, funding of €10,637,745 has been approved for private childcare providers under the new capital Programme.

Hospital Services.

141. **Deputy Martin Ferris** asked the Minister for Health and Children when a person (details supplied) in County Kerry will receive the results of a grid x-ray; and when they can expect to be given a date for a follow up operation. [28911/07]

Minister for Health and Children (Deputy Mary Harney): Operational responsibility for the management and delivery of health and personal social services is a matter for the Health Service Executive and funding for all health services has been provided as part of its overall Vote. Therefore, the Executive is the appropriate body to consider the particular case raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued directly to the Deputy.

Health Service Staff.

142. **Deputy Finian McGrath** asked the Minister for Health and Children the number of new appointments in front-line services in the Dublin north east regions of the Health Service Executive over recent weeks particularly in relation to Beaumont Hospital, care for the elderly and services to people with a disability; and the position regarding the recent allegations of cuts in HSE services in HSE north east area. [28943/07]

Minister for Health and Children (Deputy Mary Harney): Nearly 130,000 people work full-time or part-time in our public health services. In recent years, the Government's ongoing high level of investment in health has achieved and maintained significant increases in the number of doctors, nurses and other healthcare professionals employed in the public health services. The Government has also invested heavily in the education and training of such personnel in order to secure a good supply of graduates to provide for the healthcare needs of the population into the future.

Subject to overall parameters set by Government, the Health Service Executive has the responsibility for determining the composition of its staffing complement. In that regard, it is a matter for the Executive to manage and deploy its human resources to best meet the requirements of the Annual Service Plan for the delivery of health and personal social services to the public. The Executive is the appropriate body to consider the matter raised by the Deputy. My Department has requested the Parliamentary Affairs Division of the Executive to arrange to have the matter investigated and to have a reply issued to the Deputy.

Health Repayment Scheme.

143. **Deputy David Stanton** asked the Minister for Health and Children if her attention has been drawn to difficulties being encountered by persons with intellectual disabilities and their families who are claiming repayment under the patient repayment scheme; the reasons such payments are being delayed in respect of persons with an intellectual disability; if she will issue strict instructions as to the way such payments will be made; when such payments will be made; and if she will make a statement on the matter. [28944/07]

Minister for Health and Children (Deputy Mary Harney): The health repayment scheme was launched in August 2006 and is administered by the Health Service Executive (HSE) in conjunction with the appointed Scheme Administrator KPMG/McCann Fitzgerald. The HSE has indicated that the scheme is progressing as speedily as possible and every effort is being made to complete payments. The time taken to process each application varies depending on the complexity of the application and the availability of accurate records to calculate repayment. As of 2 November 2007 over 31,000 claim forms have been received, 4,663 payments totalling over €92m have issued and 6,733 offers totalling over €129m have been made.

The Health (Repayment Scheme) Act 2006 provides a clear legal framework to repay recoverable health charges for publicly funded long term residential care. The scheme covers only those persons with full eligibility who were

charged under the Health (Charges for In-Patient Services) Regulations 1976 or the Institutional Assistance Regulations 1954 (as amended). Applications from or in respect of persons with an intellectual disability must be assessed within this legal framework I have outlined.

Registration of Marriages.

144. **Deputy Áine Brady** asked the Minister for Health and Children the reason it was deemed necessary to change the rules in relation to the new marriage laws; the reason these major changes were not highlighted; and if she will make a statement on the matter. [28945/07]

Minister for Health and Children (Deputy Mary Harney): The provisions of Part 6 of the Civil Registration Act 2004 were commenced on 5 November 2007 and govern the procedures for notification, solemnisation and registration of marriages within the State. The previous legislation dated back to Victorian statutes from 1844 and 1863 and were outmoded and inadequate to a modern society.

To address the issues involved, in 1999, an Inter-Departmental Committee was established by Government to review current marriage procedures and to bring forward a universally applicable framework of clear and simple procedures to underpin the solemnity of the marriage contract. The Committee met between 1999 and 2005 and, following extensive public consultation, produced several position papers. The Committee's findings were incorporated into the provisions of Part 6 of the Act. The Act, including the marriage provisions was debated at length in both Houses of the Oireachtas during 2003 and 2004.

The main changes to the rules and procedures for marriage registration are:—

- The notification of intention to marry (three months' notice) are to be given in person to a Registrar, rather than by post; postal notifications are permitted only in very restricted circumstances which are prescribed by Statutory Instrument.
- All couples giving notification after 5 November 2007 must sign declarations of no impediment and obtain a Marriage Registration Form (MRF) from a Registrar in advance of the ceremony; this is issued after they have completed the necessary notification procedures and the Registrar is satisfied they are free to marry.
- A Register of Solemnisers of Marriage has been established and is maintained by the General Register Office. All those solemnising a civil or religious marriage must be on this Register.

- It will be possible for civil marriages to be held at venues other than Registry Offices, provided the venue has been inspected and approved by the HSE in advance of the marriage ceremony and subject to a Registrar being available to solemnise a marriage at that venue on the date in question.
- The residency requirements for civil marriages are removed.
- The procedures for notification, solemnisation and registration of marriage are the same for all marriages, be they civil or religious.

Information notices, detailing the major changes and outlining the revised procedures were published in Sunday newspapers on 4 November 2007 and in the major daily newspapers on Monday, 5 November. The commencement of the new legislation was given extensive coverage in national and local broadcast and print media. In addition, all couples affected by the new rules were contacted by the local registrar.

All registered solemnisers, including religious solemnisers, have been issued with printed guidelines on the legislation and will inform any couple intending to marry of the requirements and procedures when approached to conduct the ceremony. Full details of these procedures are available also from all civil registration offices, from the General Register Office and from the websites www.groireland.ie and hse.ie. An information booklet for couples intending to marry has also been published.

The Registrar General has informed me that, from the increased volume of correspondence from the public with his office and registration offices throughout the country, he is satisfied that these matters have been brought to the attention of the public adequately.

Motor Insurance.

145. **Deputy Caoimhghín Ó Caoláin** asked the Minister for Transport if he will make a statement on the cost of motor insurance in this State particularly for young drivers; and the measures he will introduce to reduce these insurance costs. [28793/07]

Minister for Transport (Deputy Noel Dempsey): The cost of Motor Insurance, generally, has declined by 11% in the last twelve months and has declined by 39% since April 2003. In the case of young drivers it has been represented that the cost of this insurance is still too high. As part of the Social Partnership Agreement 2006 – 2015, Towards 2016, a review of the cost of insurance for young people in the 17 to 24 years grouping was commissioned in September 2007 and I expect the report shortly.

National Development Plan.

146. **Deputy Dan Neville** asked the Minister for Transport if the by-pass of Adare village is included in the Government's National Development Plan 2007 to 2013 as announced in January 2007. [28806/07]

Minister for Transport (Deputy Noel Dempsey): The N21 Adare Bypass is included in Transport 21, the implementation of which is contained in the National Development Plan 2007-2013. As Minister for Transport I have responsibility for overall policy and funding in relation to the national roads programme element of Transport 21. As the Deputy is aware, the implementation of individual national road projects, including the N21 Adare Bypass, is a matter for the National Roads Authority (NRA) under the Roads Act, 1993 in conjunction with the local authorities concerned.

Road Network.

147. **Deputy Michael D'Arcy** asked the Minister for Transport if, in view of the fact that the outer orbital route from north Dublin/south Meath to the M7 is not part of Transport 21, additional funding will be put in place to advance the project; and if this orbital route be extended from the M7 to the south as far as the N11 in north Wexford/south Wicklow. [28807/07]

Minister for Transport (Deputy Noel Dempsey): As Minister for Transport I have responsibility for overall policy and funding in relation to the national roads programme element of Transport 21. The implementation of individual national road projects is a matter for the National Roads Authority (NRA) under the Roads Act, 1993 in conjunction with the local authorities concerned. Both Transport 21 and the National Development Plan committed the NRA to carrying out a feasibility study on the Leinster Orbital Route. Neither Transport 21 nor the National Development Plan provide any funding for this proposed route.

Earlier this year, the NRA completed an updated feasibility study which built on an earlier 2001 study, looking in particular at the costs and benefits of such a route. The study is currently under detailed consideration within my Department. The route envisioned by the study does not extend to the N11.

148. **Deputy Michael D'Arcy** asked the Minister for Transport his plans to provide specific funding for new urban roads in fast developing areas to local authorities. [28808/07]

Minister for Transport (Deputy Noel Dempsey): The provision and improvement of non-national roads in its area is a matter for each individual road authority to be funded from its own resources supplemented by State grants.

Road grants for non-national roads are allocated annually under a number of grant categories. These include grants for specific roads schemes and roads which support the aims of the National Spatial Strategy. These schemes make a particular contribution to provision and improvement of roads in areas experiencing population increases.

The level of grants allocated to individual authorities is determined each year having regard to a number of factors including the total funds available in a particular year, eligibility criteria for the different grant schemes, road pavement conditions, length of road network, the need to prioritise projects and competing demands from other local authorities. In determining the annual non-national road grant allocations, the overall objective is to resource each local authority appropriately in relation to their ongoing and special needs. Road grants for 2008 will be announced early in the new year.

Public Transport.

149. **Deputy Paul Connaughton** asked the Minister for Transport the reason the tax saver commuter ticket scheme does not apply to electric bicycles; and if he will make a statement on the matter. [28810/07]

Minister for Transport (Deputy Noel Dempsey): I recognise the positive benefits of cycling and I am committed to increasing the use of cycling as a mode of transport. My Department is commissioning research on international best practice at present, which will inform the development of a National Cycle Policy. This, in turn, will feed into a Sustainable Travel and Transport Action Plan, which I intend publishing in 2008 after a full public consultation process. The process will inform the precise measures to be adopted in relation to cycling and other issues.

Transport 21.

150. **Deputy Martin Mansergh** asked the Minister for Transport the projects under Transport 21 which have been completed. [28869/07]

Minister for Transport (Deputy Noel Dempsey): To date twenty one national roads schemes have been completed since the commencement of Transport 21 in January 2006. These schemes are outlined in tabular format below. Many of the schemes were completed ahead of schedule and on or under budget. The opening of the Dundalk to Newry scheme, in August of this year, means that the M1 motorway is now complete. This is the first of the five inter-urban motorways identified for completion under Transport 21. The remaining four are on schedule for completion in 2010.

In the public transport area, the new Dublin Docklands station was opened in March of this

year, 2 years ahead of the original schedule. With the introduction of 67 new rail carriages earlier this year, Iarnród Éireann is now operating

hourly, clockface services on the Dublin – Cork rail route, as provided for under Transport 21.

National Roads Schemes Completed under Transport 21 at end October 2007

Route	Scheme	Completed
N2	Monaghan Town Bypass	2006
N2	Ashbourne Bypass	2006
N4	Edgeworthstown Relief Road	2006
N7	Naas Road widening	2006
N8	Rathcormac-Fermoy (PPP)	2006
N8/N73	Mitchelstown Relief Road	2006
N15	Ballyshannon-Bundoran Bypass	2006
N21	Castleisland-Abbeyfeale	2006
N25	Kinsalebeg	2006
N25/N27	Kinsale Road Interchange	2006
N30	Enniscorthy-Clonroche realignment	2006
M50	Dublin Port Tunnel	2006
N52	Mullingar Eastern Bypass	2006
N55	Cavan Bypass	2006
N1	Dundalk to Border	2007
N2	Castleblaney Bypass	2007
N5	Charlestown Bypass	2007
N6	Tyrellspass to Kilbeggan	2007
N11	Arklow to Gorey Bypass	2007
N18	Phase 1 of Ennis Bypass	2007
N52	Mullingar to Belvedere	2007

Passport Applications.

151. **Deputy John Curran** asked the Minister for Foreign Affairs if a passport has been issued to a person (details supplied) in Dublin 22. [28835/07]

Minister for Foreign Affairs (Deputy Dermot Ahern): I can inform the Deputy that no passport has been issued to the person concerned and that the Passport Office has no record of a passport application from her. If assistance is required in making an application for a passport the person should contact Mr. Brian Hanniffy, Deputy Passport Officer at 673 3040.

Financial Services Sector.

152. **Deputy Róisín Shortall** asked the Minister for Enterprise, Trade and Employment the amount that has been contributed by companies operating in the international and domestic financial services industry to the national training fund in each of the past five years. [28856/07]

Minister for Enterprise, Trade and Employment (Deputy Micheál Martin): The Health Levy and National Training Levy are collected by the Revenue Commissioners as part of the PRSI collection system. The funds collected for these levies are then included in the transfer of gross PRSI

from the Revenue Commissioners to the Department of Social and Family Affairs.

The National Training Levy contribution amounts to 0.7% of earnings of employees insured at Class A or H. Each year, the Department of Social and Family Affairs Accounts Branch undertakes an Annual Apportionment Exercise to analyse PRSI collection data and to apportion funds to the Social Insurance Fund, the Health Fund and the National Training Fund. My Department does not collect any information on the companies that contribute to the National Training Fund.

Decentralisation Programme.

153. **Deputy Olivia Mitchell** asked the Minister for Arts, Sport and Tourism when the decentralisation of the Arts Council to Kilkenny is intended to happen. [28841/07]

154. **Deputy Phil Hogan** asked the Minister for Arts, Sport and Tourism when the decentralisation of the Arts Council to Kilkenny will happen; and if he will make a statement on the matter. [28864/07]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): I propose to take Questions Nos. 153 and 154 together.

[Deputy Séamus Brennan.]

The Arts Council, one of the State Agencies under the aegis of my Department, is designated for transfer to Kilkenny under the Government's Programme of Decentralisation. In June 2004, a Decentralisation Implementation Plan was prepared by and in respect of the Arts Council and submitted to the Decentralisation Implementation Group (DIG), which is chaired by Mr. Finbar Flood.

There are currently 45 members of staff employed in the Arts Council and a total of 29 applications for transfer to Kilkenny have so far been received under the CAF (Central Application Facility) from non Arts Council staff members. The Arts Council has not been designated an early mover by the DIG but the Office of Public Works (OPW) is currently assessing a number of options regarding suitable locations and properties in Kilkenny. No decision has been made in this regard to date.

Sports Funding.

155. **Deputy Eamon Scanlon** asked the Minister for Arts, Sport and Tourism the supports available for equestrian centres; and if he will make a statement on the matter. [28871/07]

Minister for Arts, Sport and Tourism (Deputy Séamus Brennan): The sports capital programme, which is administered by my Department, is the primary means of providing funding to sporting clubs, voluntary and community organisations towards the provision of sporting facilities at local, regional and national level throughout the country. In this regard, it is open to organisations, including equestrian centres, which have a project that meets the terms and conditions of the programme to apply under future rounds of the programme. The date of the next round of the programme has not yet been decided. As in previous years, advertisements announcing the next round of the programme will be placed in the national newspapers and application forms will be available at that stage.

In relation to current funding for equestrian sports, the Irish Sports Council (ISC) is the statutory body responsible for the promotion and development of sport and in that context has an ongoing funding relationship with Horse Sport Ireland, the new body responsible for equestrian sport in Ireland.

Anti-Social Behaviour.

156. **Deputy Michael Kennedy** asked the Minister for Social and Family Affairs his views on the levels of anti-social behaviour activities being exercised by certain tenants in receipt of rental supplements; if there are plans to give powers or responsibilities to community welfare officers in relation to the social behaviour of tenants; and if

he will make a statement on the matter. [28941/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The supplementary welfare allowance scheme, which is administered on behalf of my Department by the Health Service Executive, provides for the payment of a weekly or monthly supplement in respect of rent to eligible persons in the State whose means are insufficient to meet their accommodation needs. In order to qualify for rent supplement a person must satisfy a number of conditions including; the person must be a bona fide tenant, must be habitually resident, must have a housing need and must satisfy a means test. In addition, the Executive must be satisfied that the accommodation is suited to the persons needs and the rent payable is within the prescribed limits.

In the case of private rent accommodation anti social behaviour by a tenant is a matter for the landlord in the first instance. There are a number of avenues open to landlords in such cases, including the mediation service for landlords and tenants operated by the Private Residential Tenancies Board. If necessary, the landlord may seek termination of the tenancy which, if effected, would result in the termination of rent supplement. Since 1997 Social Welfare legislation provides the Health Service Executive with the authority to refuse, suspend or terminate payment of a rent supplement in the case of a person who has been required to deliver up possession of a dwelling provided by a housing authority or an approved body where the reasons for that requirement include anti-social behaviour or the interests of good estate management.

I am satisfied that these existing measures are adequate and I have no plans to make any changes to the social welfare legislation in this regard.

Social Welfare Appeals.

157. **Deputy Bernard J. Durkan** asked the Minister for Social and Family Affairs when an invalidity pension hearing will be offered to a person (details supplied) in County Kildare; and if he will make a statement on the matter. [28821/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): I am advised by the Social Welfare Appeals Office that the appeal from the person concerned has been referred to an Appeals Officer who proposes to hold an oral hearing. The person concerned will be informed when arrangements have been made. The Social Welfare Appeals Office is an office of my Department that is independently responsible for determining appeals against decisions on social welfare entitlements.

Social Welfare Code.

158. **Deputy Seán Connick** asked the Minister for Social and Family Affairs if cut-off points will be introduced for income earned from leasing farmland for retired farmers applying for the old age pension; and if an old age pension will be granted to a person (details supplied) in County Wexford. [28854/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): A new pension scheme, known as State Pension (Non-Contributory) was introduced in September 2006 and incorporated all means-tested schemes for people aged 66 and over. As part of this reform, the basic income disregard for the purposes of the means test for non-contributory pensions was increased to €20 per week and a new disregard on earnings from employment of €100 per week was introduced to encourage pensioners to continue in, or return to work. Budget 2007 increased the basic means disregard to €30 per week in addition to increasing the earnings disregard to €200 per week.

The earnings disregard of €200 per week does not apply to income from any other source such as self-employment including farming or rents from leasing property. Income from sources other than employment, including pensions and capital, is covered by the enhanced general means disregard of €30 per week. The person concerned was in receipt of a reduced rate State Pension (Non-Contributory) from 1992 until 2002 when his pension was revoked as his means, derived from a farm holding and spouse's employment exceeded the statutory limit. He is currently being paid as a qualified adult on his spouse's State Pension (Contributory) at the rate of €173.00 per week.

Given the improvements in the means assessment that have occurred over the last two years, it is possible that the person concerned could qualify for a State Pension (non-contributory) in his own right. If he wishes to have his eligibility for this pension assessed he should submit an application to the Departments offices in Sligo. If, at the end of the day, payment of the qualified adult increase proves to be more advantageous to the couple, it is open to them to apply to have the pension and the qualified adult increase paid separately so that the person concerned can receive a direct payment.

159. **Deputy Mary Upton** asked the Minister for Social and Family Affairs his priorities for budget 2008; the services he has prioritised for expansion; the services he has recommended as not urgently requiring an increase; and if he will make a statement on the matter. [28888/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): Improvements in social welfare schemes and services are introduced by way of the Budget. In framing my Budget proposals, I

have regard to a wide range of factors. My priority will be to make progress in delivering on the commitments contained in the Agreed Programme for Government, the Social Partnership Agreement Towards 2016 and the National Action Plan for Social Inclusion 2007-2016.

The recently published Pre-Budget Outlook provides for total social welfare expenditure between Vote and Social Insurance Fund of €16.113 billion in 2008. This is a 5.1% increase over the 2007 allocation and reflects the full-year impact of the Budget changes announced last December, as well as forecasted changes in numbers of recipients. The Pre-Budget estimates are on an existing level of service basis. They do not provide for any changes to qualifying conditions or rates of payment which are matters for the forthcoming Budget.

160. **Deputy Mary Upton** asked the Minister for Social and Family Affairs his view on whether the back to school clothing and footwear allowance is acceptable in view of the fact that the qualifying criteria are so stringent; his views on widening these criteria for 2008 in order as to allow low income families who are not in receipt of social welfare payment other than children's allowance to be applicable; and if he will make a statement on the matter. [28889/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The back to school clothing and footwear allowance (BSCFA) scheme provides a one-off payment to eligible families to assist with the extra costs when their children start school each autumn. The allowance is not intended to meet the full cost of school clothing and footwear but to provide assistance towards these costs. A person may qualify for payment of an allowance if they are in receipt of a social welfare or Health Service Executive (HSE) payment, are participating in an approved employment scheme or attending a recognised education and training course and have household income at below standard levels.

Family Income Supplement (FIS) which is a weekly tax-free payment for families, including one-parent families, at work on low pay is also one of the qualifying payments for the purposes of the BSCFA scheme. This enables families, not normally in receipt of a social welfare or HSE payment to avail of the BSCFA scheme. The income limits for the BSCFA scheme for 2007 are based on the maximum rate of state pension (contributory) (under 80), plus the qualified adult allowance, plus €100 in the case of married and cohabiting couples; and the maximum rate of widow's/widower's contributory pension (under 80) plus €100 for Lone Parents, plus child dependant allowance in each case.

Income Limits for 2007 are €470.80 for a couple with one child and €331.30 for a lone parent with one child. The limit is increased by

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€22.00 for each additional child. The fact that the income limit is aligned to pension payments means that it is automatically indexed upward each year with budget increases.

In line with other secondary benefits, a means test is applied to ensure that limited resources are directed to those in greatest need. Apart from a number of exceptions, all household income, including welfare payments such as Carer's Allowance, is assessable as means under the BSCFA scheme in accordance with the normal assessment for supplementary welfare allowance. The exceptions to these rules are that any income received in the form of family income supplement (FIS), higher level education grants or the first €120 earnings from employment of a rehabilitative nature is disregarded for the purposes of the BSCFA scheme.

The rates of BSCFA have been increased significantly in recent years. From June 2006, the allowance was increased by €40 to €120 in respect of qualified children aged from 2 to 11 years and €190 for those aged from 12 to 22 years. In Budget 2007, the rate of payment of BSCFA was increased by €60 to €180 per child for children aged 2 to 11 years old and €95 to €285 for children aged 12 to 22 – a 50% increase on the previous allowance. Budget 2007 also increased the income limits for BSCFA by €50 to €100 above the state pension (contributory) rate.

I consider the back to school clothing and footwear allowance scheme to be an important support for parents at a time of particular financial strain. I am satisfied that improvements to the scheme in recent years, namely an increase in income limits and an increase in the rates of payment respectively, provide a major boost to meeting the financial costs associated with return to school for those who most need assistance.

Any changes to the structure of the scheme, rates of payment, income limits or amendments to the qualifying criteria would have cost implications and would have to be considered in a budgetary context and in the light of resources available to me for improvements in social welfare payments generally.

161. **Deputy Mary Upton** asked the Minister for Social and Family Affairs the restrictions here to extending the all-Ireland free travel pass scheme to all holders of free travel passes; if he has held talks with his counterpart in the Northern Government with a view towards having this all-Ireland free travel pass extended to all holders of free travel passes north and south; if he will lobby to have this scheme extended to all holders of the free travel pass; and if he will make a statement on the matter. [28890/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The free travel scheme is available to all people living in the State aged 66 years

or over. All carers in receipt of carer's allowance and carers of people in receipt of constant attendance or prescribed relative's allowance, regardless of their age, also receive a free travel pass. It is also available to people under age 66 who are in receipt of certain disability type welfare payments, such as disability allowance, invalidity pension and blind person's pension. People resident in the State who are in receipt of a social security invalidity or disability payment from a country covered by EU Regulations, or from a country with which Ireland has a bilateral social security agreement, and who have been in receipt of this payment for at least 12 months, are also eligible for free travel.

The all Ireland free travel scheme is based on a reciprocal agreement between my Department and the Department for Regional Development in Northern Ireland, which operates the Northern Ireland concessionary fares scheme. Under the scheme, free travel pass holders age 66 or over can travel free on services operating within Northern Ireland and senior smart pass holders from Northern Ireland can travel free on participating services here. Effectively, institutions in this State and in Northern Ireland recognise free travel arrangements for older people in each jurisdiction as equivalent arrangements.

The concessionary fares scheme in Northern Ireland is available only to people aged 65 and over so it is not possible to develop reciprocal arrangements in respect of free travel pass holders aged under 66. Any extension to the scheme would have to be agreed with the Northern authorities.

Anti-Poverty Strategy.

162. **Deputy Mary Upton** asked the Minister for Social and Family Affairs his priorities, in view of his statement that he wants to make a decisive impact on poverty, for achieving same; the progress made on each of these individual priorities to date; the estimated cost of each of his targets per year; and if he will make a statement on the matter. [28891/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): Combating poverty and building an inclusive society are key priorities for the Government. The National Action Plan for Social Inclusion (NAPinclusion) 2007-2016, published in February 2007 and the social inclusion commitments in the National Development Plan (NDP) were drawn up in consultation with the social partners and after a wide ranging consultation process with other stakeholders. The NAPinclusion adopts a life cycle stage approach, in line with Towards 2016, with specific, measurable goals set for each group: children; people of working age; older people and people with disabilities; and their communities. It sets out a demanding and detailed programme of action

across all government departments and their agencies to meet these goals and targets.

The first Annual Social Inclusion Report which will be published later this week at the annual Social Inclusion Forum, shows that, even at this early stage in the 10 year strategy process, the intended progress is being made and the social inclusion targets are on track for 2006/2007. The overall poverty goal in the NAPinclusion is to reduce the number of those experiencing consistent poverty to between 2 per cent and 4 per cent by 2012, with the aim of eliminating consistent poverty by 2016. To this end, 12 high level goals have been set across relevant policy areas and some 150 targets identified.

Establishing the cost of progressively meeting the individual targets underpinning the priority goal in the NAPinclusion is complex and would have to have regard to other targets in the Plan as well as wider socioeconomic factors including demographic change, price and earnings inflation and developments in labour force participation rates. However in addition to income support, some €49.6 billion has been provided under the social inclusion priority of the NDP for the period up to 2013 for priority investment programmes such as pre-school education for children, greater support for lone parents, the long-term unemployed and for people with disabilities in securing access to employment, for older people in relation to community care services, and for communities in providing housing, health services and strategies to assist newcomers to integrate in Irish society.

My priorities and those of the NAPinclusion are reflected in the Programme for Government. They include; improvements in support for Lone Parents; in the State Pension and the Carers Allowance, in Child Benefit and in the Back to School Clothing and Footwear Allowance and the School Meals Programme. Support for the Office for Social Inclusion is a key commitment, in particular, for its work to progress the use of poverty impact assessments by government departments, local authorities and statutory agencies in the development of policies and programmes and the delivery of public services to ensure that the Government's social inclusion agenda is achieved.

The NAPinclusion forms the framework of goals, objectives and targets within which I will frame my proposals, and priorities, in relation to social welfare for this and succeeding budgets. I am confident that the pursuit of this strategic approach for social welfare and the other relevant policy areas will make a decisive impact in relation to current levels of poverty over the next 10 years.

Social Welfare Code.

163. **Deputy Mary Upton** asked the Minister for Social and Family Affairs his views on whether the unemployment assistance scheme is

the correct model and whether claimants receive enough income to support themselves in view of inflationary pressures, particularly in regard to inflation in the price of household goods and fuel; his further views on whether those on unemployment assistance are receiving enough up-skilling from FÁS courses; the steps in place to ensure those who are on the unemployment benefit for anything more than a short period are attending offered up-skilling courses; the measures he has introduced or will introduce to tackle long-term unemployment; and if he will make a statement on the matter. [28892/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): A person who is unemployed may apply for Jobseeker's Benefit or Jobseeker's Allowance. Entitlement to Jobseeker's Benefit is determined by reference to an individual's social insurance record. Entitlement to Jobseeker's Allowance, which is a social assistance scheme, is based on an individual's weekly means. Increases in respect of a spouse/partner and children are dependent on the spouse/partner's social welfare status and weekly income. In addition, an increase is paid in respect of each qualified child.

The social assistance scheme model is replicated throughout the social welfare system and is an internationally recognised model for the provision of publicly funded income support in covering the contingency of unemployment. One of the key objectives of the 2007 social welfare package was to protect and enhance the value of all weekly rates of payment, including jobseeker's benefit and allowance, in relative terms by giving increases which are well in excess of the projected rate of inflation (4.9%) for this year.

In Budget 2007, the rate of jobseeker's benefit and allowance was increased by €20 per week, or 12.1%. This increase brought the lowest rates of payment to €185.80 per week, thereby ensuring that the Government commitment on the lowest rates of payment was fully achieved. Recipients with children also benefited from the increase in the child dependant allowances to €22 per week (an increase of up to 23.6% for recipients of jobseeker's payments) and the €10 per month increase in Child Benefit rates. In addition, the fuel allowance was increased by €4 per week to €18. This means that this allowance has doubled over the last two Budgets.

The Government, in its new Programme, is committed to maintaining the value over the next five years of payments for all people of working age. Currently all persons aged 18 and under 64 years who are approaching three months on the Live Register are identified by the Department of Social and Family Affairs and referred to FÁS under the National Employment Action Plan (NEAP). Over the period September 1998 to December 2006, 287,000 recipients of unemployment payments have been referred under the NEAP. While outcome data on the number of

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persons referred in 1998 and 1999 is not available the Department does have details of persons referred over the period 2000 to July 2007. Of the total (313,247) referred during the period 2000 to 2007, 187,727 or 60% were interviewed by FÁS. Some people sign off prior to interview by FÁS without any further intervention.

Of the 187,730 (approx) interviewed by FÁS between 2000 and 2007 53,762 or 29% were placed in employment, training or education. I do not have a separate breakdown of the number placed in employment for years 2000 to 2002. However over the period 2003 to 2007 FÁS interviewed some 134,300, overall 34,289 or 26% of those interviewed were placed in employment, training or education and of that 53% or 18,150 were placed in employment.

People remain on the live register while engaged with FÁS under the NEAP until they take up offers of employment or training. If they do not attend for interview with FÁS, or having engaged with FÁS decline offers of employment or training, their cases are referred back to the social welfare local office for review to determine if they continue to satisfy the conditions for receipt of unemployment payments.

In addition to the NEAP process my Department assists and encourages the unemployed, particularly the long term unemployed, lone parents and other social welfare recipients to return to employment, training or education through a range of measures administered by my Department's social and family support service. These measures include the payment of income support through the back to work allowance and the back to education allowance.

My Department also provides funding to third parties to assist welfare recipients, as well as members of their families improve their employability, personal and family situations through education, training and personal development courses. Under the National Development Plan 2007-2013, my Department aims to promote participation and social inclusion through activation measures aimed at all people of working age. The Social and Economic Participation Programme aims to facilitate progression regardless of the circumstances that led the person to require income maintenance.

This will be a new service, building on my Department's existing experience and income maintenance relationship with the people concerned, in co-operation with other relevant service providers such as FÁS, VECs, HSE and other local agencies. The particular added value that will be provided by the Department is an active outcome-focused individual case management of all social welfare customers of working age who are not progressing into employment or accessing training or education opportunities.

Social Insurance.

164. **Deputy Mary Upton** asked the Minister for Social and Family Affairs if he expects the rate of PRSI to be reduced from 4% to 2% in budget 2008 as was promised by his party earlier in 2007; and if he will make a statement on the matter. [28893/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The Programme for Government states that 'we will abolish the PRSI ceiling for full rate payers and reduce the rate at which this tax is levied from 4% to 2% over the lifetime of the next administration. We will also reduce the rate of PRSI paid by the self employed to 2% from 3%. These moves will eliminate remaining inequality in the income tax system and enhance its progressive nature. The Social Insurance Fund will be reimbursed by the Exchequer for the cost of this reform'. Changes in PRSI contribution rates are considered in a budgetary context.

Social Welfare Code.

165. **Deputy Mary Upton** asked the Minister for Social and Family Affairs if he is satisfied with the one parent allowance scheme as it operates; the new proposals he has introduced to update this payment; when he expects to introduce such amendments; and if he will make a statement on the matter. [28894/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The One-Parent Family Payment is a payment for men and women who are bringing up a child without the support of a partner. It is a means tested payment with an earnings disregard to allow for the increased costs involved in returning to the workplace.

Current arrangements allow for a weekly earnings disregard of €146.50, with half of any additional earnings up to a weekly limit of €400 assessed as means for the purposes of calculating entitlement to payment. This upper earnings limit has been increased by €107 per week over the course of the last two budgets. The rate of payment to a qualified child has also increased to €22 per child. This is paid in addition to the personal rate of one parent family payment.

I have previously acknowledged that despite the recent improvements in the scheme, the rate of lone parents at risk of poverty is unacceptable and the best way out of poverty is through quality, sustainable employment. The Government has requested the Senior Officials Group on Social Inclusion to develop a plan to implement the proposals contained in the Government discussion paper "Proposals for Supporting Lone Parents."

The paper puts forward proposals for the expanded availability and range of education and training opportunities for lone parents; the extension of the National Employment Action Plan to focus on lone parents; focused provision of child-

care; improved information services for lone parents and the introduction of a new social assistance payment for low income families with young children. The paper also proposes the abolition of the cohabitation rule as a condition for receipt of the proposed social assistance payment. Steps have been taken in my Department to draft legislation to introduce a new social assistance payment to replace the One Parent Family Payment. However, any proposed new payment can only be introduced when the necessary co-ordinated supports and services are put in place on the ground by other Departments and Agencies.

Discussions are ongoing with the relevant Departments and Agencies on issues including childcare, education, training and activation measures. As part of this process, my Department, with the co-operation of FÁS, the Office of the Minister for Children and the Department of Education and Science, are testing the non-income activation proposals in Coolock, Dublin and in Kilkenny. These tests are focused on identifying and resolving any practical and administrative issues that may arise in advance of the scheme being introduced. The tests are expected to run until the end of the year, with a report then being made to the Cabinet Committee on Social Inclusion. They will allow for operational and logistical co-ordination between the relevant Departments and Agencies to be considered and will facilitate the development of the policy and operational details of the new scheme and accompanying supports. The nationwide roll out of these reforms will follow the completion of the tests.

Pension Provisions.

166. **Deputy Mary Upton** asked the Minister for Social and Family Affairs the reason for the delay in proposing new legislation in the area of pension reform in view of the acknowledged future expected revenue shortfall to fund pensions; his views on whether the need for legislation as soon as possible is vital; the length of time the public consultation process is expected to last; when he expects to introduce new legislation; and if he will make a statement on the matter. [28895/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): In the decades ahead, Ireland will face the same challenges in relation to pensions and other age related costs as many of our EU neighbours are facing at present. However, as a country, we are fortunate that our demographic position will remain favourable for sometime yet. This allows us time to review our situation and to decide on an appropriate course of action which will be affordable in the long-term and which will deliver adequate retirement incomes for all people.

There are widely differing views in relation to how the pensions system should develop and there is no doubt that developing a system that will command broad acceptance across society will not be easy. Accordingly, with the publication of the Green Paper, I have initiated a consultation process, which I want to be as inclusive as possible. Given the complex nature of the subject it is important that people have ample time to consider the issues and to formulate their ideas and comments. Therefore, the consultation process will remain open until mid-2008.

Following the completion of the consultation process, a framework for long-term policy will be developed and I would expect this to be finalised by the end of next year. Whether the framework will involve publishing actual legislation, or an outline of a proposed scheme, will depend on the conclusions reached at the end of the current process and the extent of the reform being proposed.

Money Advice and Budgeting Service.

167. **Deputy Mary Upton** asked the Minister for Social and Family Affairs the number of calls the money advice and budgeting service's recently introduced low call telephone number has received in its first month of operation; the details of advertising campaigns to make people aware of this new service; and if he will make a statement on the matter. [28897/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): The MABS National Helpline, Lo-call number 1890 283 438 (1890 BUDGET), was formally launched on 4th October 2007. The Helpline operates Monday to Friday from 9: am to 8: pm and it provides an accessible and confidential support service for those experiencing debt problems. Up to 9th November, the National Telephone Helpline has received over 1000 calls.

Posters advertising the new telephone service have been distributed throughout the MABS network, to Social Welfare Local and Branch Offices, the offices of the Community Welfare Service, Society of St Vincent De Paul conferences, Parochial Houses, Citizen Information Centres and Credit Unions throughout the country.

In addition notifications about the service have been issued to the main creditor organisations with which money advisors have regular contact, including the ESB and Board Gais. Plans are now being developed for a national advertising campaign to further promote the new service to the people in their own locality. It is envisaged that the campaign will commence in late January /early February 2008. Information about budgeting and a self help money management facility is also available on-line at the MABS website www.mabs.ie.

MNDSAs part of this process, my Department, with the co-operation of FÁS, the Office of the

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Minister for Children and the Department of Education and Science, are testing the non-income activation proposals in Coolock, Dublin and in Kilkenny. These tests are focused on identifying and resolving any practical and administrative issues that may arise in advance of the scheme being introduced. The tests are expected to run until the end of the year, with a report then being made to the Cabinet Committee on Social Inclusion. They will allow for operational and logistical co-ordination between the relevant Departments and Agencies to be considered and will facilitate the development of the policy and operational details of the new scheme and accompanying supports. The nationwide roll out of these reforms will follow the completion of the tests.

Anti-Poverty Strategy.

168. **Deputy Arthur Morgan** asked the Minister for Social and Family Affairs the percentage of households in poverty in 2006 and to date in 2007 which were headed by a person with a job. [28899/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): Information on poverty levels, deprivation and social exclusion are provided in the EU Survey on Income and Living Conditions (EU-SILC), which is conducted on an annual basis by the Central Statistics Office (CSO) and which commenced in Ireland in 2003. The most recent results are for the year 2005. The results for 2006 are due to be published before the end of this year.

In 2005 the percentage of households ‘at risk of poverty’ and whose principal economic status was ‘at work’ was 8.2%. This rate was significantly lower than that for the total population, which was 18.0% in 2005. However, households whose income falls below the 60% median income threshold are classified as being “at risk of poverty”, but are not necessarily in poverty. An indicator has been developed by the Economic and Social Research Institute (ESRI), called “consistent poverty”, which identifies the proportion of people ‘at risk of poverty’, who are classified as being in poverty due to being deprived of certain goods or services considered essential for a basic standard of living. This measure was recently updated and revised by the ESRI. It is now used in the National Action Plan for Social Inclusion (NAPinclusion) 2007-2016. In 2005 the percentage of persons whose principal economic status was ‘at work’ and who were in “consistent poverty” was 2.2%. This compares with a rate of 6.5% for the total population.

Low levels of unemployment over the past decade have helped to lift a significant number of people out of poverty. A key objective of the NAPinclusion is to remove barriers to people obtaining better quality, full time employment

through a series of “activation” measures including education, training, provision of child care, assistance with job search and job placement, appropriate income support, and access to essential services. The measures provided for also specifically include more support for lone parents and for people with disabilities in increasing their participation in employment and measures to improve progression opportunities for people in low skilled employment.

The degree of commitment to meeting this challenge is reflected in the overall poverty goal in the NAPinclusion, which is to reduce the number of those experiencing consistent poverty to between 2% and 4% by 2012, with the aim of eliminating consistent poverty by 2016. The objectives of the NAPinclusion have been prioritised in the Programme for Government, which underlines the Government’s fundamental commitment to the social inclusion agenda. My plans, in working with Government to deliver the programme over the coming years, are to build on the significant progress that has been made in reducing poverty in the past decade and to deliver real improvements in living standards and well being so that all households whether in work or dependent wholly or partially on income support participate in the benefits of our economic success.

Social Welfare Code.

169. **Deputy Enda Kenny** asked the Minister for Social and Family Affairs the cost to the Exchequer of the rental subsidy allowance scheme; and if he will make a statement on the matter. [28905/07]

170. **Deputy Enda Kenny** asked the Minister for Social and Family Affairs his views on whether the rent subsidy allowance scheme is assisting in creating a poverty trap; if he will review the scheme; and if he will make a statement on the matter. [28906/07]

Minister for Social and Family Affairs (Deputy Martin Cullen): I propose to take Questions Nos. 169 and 170 together.

Expenditure on rent supplement in 2006 was €389m. Estimated expenditure for 2007 is €392m. The purpose of rent supplement, administered under the supplementary welfare allowance scheme, is to provide short-term income support to eligible people living in private rented accommodation whose means are insufficient to meet their accommodation costs and who do not have accommodation available to them from any other source.

Budget 2007 measures provided improvements in the disregards that apply to assessing additional income for rent supplement purposes. From June 2007 the first €75 of additional income, is disregarded for rent supplement purposes, with any additional income above €75 assessed at 75%. These measures are a positive

step in increasing the financial return from employment for those returning to work.

A measure to address more long term accommodation needs has been the introduction of the Rental Accommodation Scheme (RAS) which gives local authorities specific responsibility for meeting the long-term housing needs of people receiving rent supplement for eighteen months or more.

Budget 2007 also provided that rent supplement recipients considered eligible for RAS by their local authorities can return to full-time employment, qualify for the standard income disregards for the first time, and may retain rent supplement subject to satisfying the other qualifying conditions of the scheme. These provisions, when taken together, support rent supplement recipients in the transition from welfare to work while at the same time reducing their dependency on primary welfare payments.

Grant Payments.

171. **Deputy Ulick Burke** asked the Minister for Agriculture, Fisheries and Food when installation aid grant due to person (detail supplied) in County Galway will be awarded; the reasons for the delay; and if she will make a statement on the matter. [28782/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The person concerned is an applicant for grant-aid under the Installation Aid Scheme. His application is currently being examined within my Department and the outcome will be notified to the person concerned shortly.

172. **Deputy Paul Connaughton** asked the Minister for Agriculture, Fisheries and Food the reason an application by a person (details supplied) in County Galway under the quality stallion purchase incentive scheme was not successful; if she will provide an opportunity for an oral hearing by way of an appeal; and if she will make a statement on the matter. [28811/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): My Department wrote to the applicant, to whom the Deputy refers, on 14th May 2007, informing him that his application for grant aid under The Quality Purchase Incentive Scheme (QSPIS) was unsuccessful as it did not comply with the Terms and Conditions of the Scheme. The applicant was also informed in this letter that if he was dissatisfied with the decision he could appeal (by 14th August 2007) the decision to the Agriculture Appeals Office, Kilminchy Court, Portlaoise, Co. Laois.

Rural Environment Protection Scheme.

173. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the number

of farmers who have joined REP scheme four to date; and the steps she will take to deal with Natura designated lands and the adverse impact this has on basic rate of REP scheme payments. [28844/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): REPS is a voluntary scheme which has delivered over €2 billion in direct payments to farmers since its introduction in 1994. For the period 2007 to 2013, provision of almost €3 billion has been made for the scheme as part of the Rural Development Programme. There are currently some 55,400 participants. REPS 4, which currently has over 100 applications being processed for payment, delivers on the Government's commitments and scheme payment rates and structure agreed in the social partnership negotiations with the farm bodies. I expect a significant increase in applications for the Scheme over coming months.

Farmers who can show that they suffer losses arising from Natura designation which are greater than the rate of REPS/Natura payment may apply to the National Parks and Wildlife Service for additional payment on a quantified loss basis.

Farm Improvement Scheme.

174. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the reason sources in her Department were quoted in a newspaper (details supplied) on 27 October 2007 as denying a threat existed to the continuation of the farm improvement scheme when four days later she closed the scheme. [28845/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): My Department indicated in the newspaper report referred to, that the Farm Improvement Scheme was open for applications at that particular time. It had been indicated on many occasions including in the terms and conditions of the Scheme that it would be suspended when the financial ceiling had been reached.

175. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food her views on whether all applications under the farm improvement scheme received up to 31 October 2007 in her Department's offices will be dealt with and where in order will be approved similar to all applications received prior to 24 October 2007. [28846/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): Applications received under the Farm Improvement Scheme prior to its suspension on 31 October 2007 will be processed by my Department up to the level of funding available for the Scheme.

Milk Quota.

176. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food if she has received a request for additional quota from a person (details supplied) in County Cork; when the tribunal will meet next; if this case will be considered on that occasion; and if she will make a statement on the matter. [28847/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): My Department is currently accepting applications to the Milk Quota Appeals Tribunal for additional quota on the grounds of Hardship or Animal Disease. The closing dates for receipt of these applications are Friday 16th November 2007 in the case of Hardship applications and Friday 7th December 2007 in the case of Animal Disease applications. As of yesterday, November 13th, no application had been received in respect of the person named. No dates have yet been finalised for the Tribunal meetings.

Rural Environment Protection Scheme.

177. **Deputy Michael Creed** asked the Minister for Agriculture, Fisheries and Food the amount of money to be spent on the REP scheme in 2007. [28848/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): As of Friday last, 9 November, payments of over €240 million had issued to participants in REPS. Some 5,000 annual payment applications are currently being processed. Spending for the remainder of the year will be determined by the number of farmers who send in their annual payment applications. There are 3,000 such applications due by the end of November and some 6,500 more must be submitted during December, though many of these will probably arrive too late for processing this year. In 2006, REPS payments came to €33 million in November and €61 million in December.

178. **Deputy Beverley Flynn** asked the Minister for Agriculture, Fisheries and Food if a person (details supplied) in County Mayo under the REP scheme has received their 2006/07 payment. [28855/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The person named began his current REPS contract in January 2004. In his REPS plan he was required to undertake certain pollution control measures before the first winter. Following an inspection in February 2005, a penalty was applied for failure to carry out these pollution control measures. Following further inspections in February 2006 and February 2007, increased penalties were applied with the result that there was no payment in 2007. During a further check in November 2007, clear evidence of pollution was observed. My Depart-

ment is now considering the position and will communicate directly with the person named.

Farm Improvement Scheme.

179. **Deputy Eamon Scanlon** asked the Minister for Agriculture, Fisheries and Food the supports available for equestrian centres; and if she will make a statement on the matter. [28870/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The Farm Improvement Scheme, which was suspended on 31 October 2007, provided grant-aid for certain types of on-farm investments in the equine sector, including stabling, waste storage facilities, fencing and unroofed lunging/exercise areas.

Pesticide Controls.

180. **Deputy Finian McGrath** asked the Minister for Agriculture, Fisheries and Food the number of fruit and vegetables tested for pesticides in 2006; the type of pesticide detected regarding these number of domestic and imported samples; the residue and MLR; and if she will make a statement on the matter. [28900/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): The 2006 pesticide residue monitoring report is being finalised at present and will, when completed, be available on the DAFF website where all of the detailed results of the 2006 monitoring programme can be accessed. The annual Irish residue monitoring programme is agreed between the Food Safety Authority of Ireland (FSAI) and the Department of Agriculture, Fisheries and Food (DAFF) and is implemented by the DAFF as part of a service contract between both bodies.

In 2006, 909 samples of fruit and vegetables were analysed for residues of 153 pesticides and their breakdown products. Of the 909 samples analysed, 168 were from domestic production and the remaining 741 were imported. Residues of 72 different pesticides were detected in the samples of fruit and vegetables analysed and 26 of these samples, 2.9%, contained a pesticide residue that exceeded the maximum residue limit (MRL) value for a pesticide food combination. The results are in line with those of previous years and are also in line with those found in other EU member states.

Animal Breeding Regulations.

181. **Deputy Seán Ó Fearghail** asked the Minister for Agriculture, Fisheries and Food the number of rare indigenous breeds of cattle that have been identified by her Department; the measures in place to protect these breeds; and if she will make a statement on the matter. [28919/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): My Department is very aware of the need to conserve rare indigenous breeds of cattle and actively participates in conservation programmes at National, EU and International levels. Conservation of rare breeds of farm animals is crucial in achieving sustainability of livestock production.

There are three native rare breeds of cattle in Ireland, namely the Kerry Cattle, Irish Moiled and Dexter. The approximate current number of breeding females (actively producing offspring) in Ireland are as follows:

- Kerry — 1100
- Irish Moiled — 50
- Dexter — <100

My Department supports on-farm conservation of genetics resources in a number of ways.

The REPS 4 Scheme contains a voluntary Supplementary Measure that rewards farmers who keep native cattle breeds (Kerry, Irish Moiled and Dexter). A payment of €234 per livestock unit is paid to farmers under the scheme. My Department also operates the Kerry Cattle Preservation Grant Scheme, whereby a grant of €76 is paid per live eligible calf. The objective of the scheme is to encourage the maintenance and development of Kerry Cattle in Ireland.

National conservation of endangered rare breeds is also supported in other ways. Approximately €150,000 of Exchequer funding has been allocated to projects that assist with the conservation of rare indigenous cattle breeds. Examples of this work includes the collection of semen from Kerry bulls, the development of a website for the Kerry Cattle breed society (to provide information and increase awareness of the breed), and the development of a long-term conservation strategy for Kerry Cattle. More recently, funding has been provided for the collection of semen from Irish Moiled bulls. The collection of semen from rare breeds is globally recognised as an important and low cost way of conserving animal genetic resources.

Ireland has also availed of funding from two EU Programmes to assist with the conservation of genetic resources — the 1994 and 2004 programmes. Under the most recent programme my Department secured approximately €20,000 to assist in the development of a national inventory of animal genetic resources. This web-based database contains important population and breed data on all of Ireland's domestic animal genetic resources, including native cattle breeds.

Internationally my Department also participates in conservation activities for animal genetic resources, particularly through the Food and Agriculture Organisation. In September 2007 Ireland, along with 109 countries, adopted a Global Plan of Action for Animal Genetic Resources, the first internationally agreed frame-

work to halt the erosion of livestock diversity and support the sustainable use, development and conservation of animal genetic resources. Development of national conservation policies to preserve our native animal breeds will take full cognisance of the policies in this Global Plan.

Grant Payments.

182. **Deputy P. J. Sheehan** asked the Minister for Agriculture, Fisheries and Food when an area aid payment to a person (details supplied) in County Cork will be processed and paid; and if she will make a statement on the matter. [28948/07]

Minister for Agriculture, Fisheries and Food (Deputy Mary Coughlan): An application under the 2007 Single Payment Scheme / Disadvantaged Areas Scheme was received from the person named on 27 April 2007. Following processing of the application, issues arose regarding the area of land being claimed, the outcome of which was that the person named was deemed to have over-claimed in respect of the forage area available to him. While this over-claim did not affect his payment under the Single Payment Scheme — as he was confirmed to have more eligible land than the number of entitlements held — it has resulted in a reduced area for payment under the Disadvantaged Areas Scheme. Payment of €2,020.07 in respect of the latter scheme issued to the person named on 13 November 2007, while the full 50% advance under the Single Payment scheme will issue shortly.

School Services Staff.

183. **Deputy Bernard Allen** asked the Minister for Education and Science the pension benefits accruing to a person (details supplied) in County Cork; and their entitlements under the pension scheme. [28774/07]

Minister for Education and Science (Deputy Mary Hanafin): In 2006 I introduced, with the concurrence of the Minister for Finance, pension arrangements for caretaking staff employed under the 1979 Employment Scheme in Primary Schools. These arrangements provide that membership of the superannuation scheme will be effective from 1 September 2001 in the case of eligible caretakers in service at that time. The pension scheme will be a contributory, defined benefit scheme and will provide standard public service pension benefits.

Arrears of contributions will be payable in respect of the period from 1 September 2001 to 6 March 2006 when payment of ongoing contributions from salary commenced. In accordance with standard public service arrangements, there is provision for reckoning service given prior to 1 September 2001 subject to verification of the

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service concerned and payment of appropriate contributions.

The person in question is currently in service and paying pension contributions. A statement of reckonable service, contributions payable in respect of arrears and prior service and benefits that will accrue is being prepared in my Department. This will issue directly to the person concerned as soon as all the details are finalised.

Home Tuition.

184. **Deputy Chris Andrews** asked the Minister for Education and Science the number of children who received tuition from the home based July tuition scheme in 2007; the number of parents of children who appealed a decision not to include them in the home based July tuition scheme 2007; and if she will make a statement on the matter. [28783/07]

Minister for Education and Science (Deputy Mary Hanafin): The July Education Programme is available to all special schools and mainstream primary schools with special classes catering for children with autism and severe and profound learning disability who choose to extend their education services through the month of July. Home based tuition is offered as an alternative for eligible pupils who cannot avail of school based programmes. The Department's objective is to facilitate the provision of a July Education Programme in all schools with special classes for children with autism. The schools in question are some special schools and some mainstream schools with special classes.

For the year 2007 my Department approved in the region of 1650 applications in respect of home based July Provision. My officials have received 35 appeals against decisions regarding the July provision and are currently working to resolve the few remaining issues.

Summer Works Scheme.

185. **Deputy Martin Ferris** asked the Minister for Education and Science if the list of schools approved for the 2008 summer works scheme is available. [28792/07]

Minister for Education and Science (Deputy Mary Hanafin): The closing date for the Summer Works Scheme 2008 was the 28th of September last. Decisions on the Scheme will be taken later in the year.

Schools Building Projects.

186. **Deputy Dara Calleary** asked the Minister for Education and Science the position regarding the development of schools (details supplied) in County Mayo; and when permission will be given to proceed to tender. [28796/07]

Minister for Education and Science (Deputy Mary Hanafin): I understand that the tender documentation for the project referred to by the Deputy is nearing completion. Progression of all projects to tender and construction will be considered in the context of my Department's Multi-Annual School Building and Modernisation Programme.

School Management.

187. **Deputy Michael McGrath** asked the Minister for Education and Science the procedures in place for dealing with complaints from parents regarding individual teachers in school; and the advice that should be given to parents as to the way such complaints should be made. [28798/07]

Minister for Education and Science (Deputy Mary Hanafin): Under the provisions of the Education Act, 1998, the board of management is the body charged with the direct governance of a school. In general, the Board has the responsibility to ensure that the school operates efficiently and effectively and also has responsibilities in relation to the action of its employees. My Department supports the principle that complaints regarding schools should be resolved at school level whenever possible and will only become involved in an investigation of specific complaints after every effort has been made to resolve the matter at local level.

The Board as manager of the school must manage the staff in the school and intervene when it considers necessary to resolve matters relating to the actions of its employees. The Board of Management is the employer and has similar powers to any other employer. My Department is not the employer and does not have an employer/employee relationship with teachers in schools. My Department cannot perform functions which are proper to the Board in relation to the management of the teaching staff of the school.

Currently, most schools use procedures that have been arrived at through national agreements negotiated between management authorities and teacher unions. Under the CPSMA/INTO and the ASTI/JMB procedures that are in common usage in primary schools and voluntary secondary schools respectively, the Board of Management may invite the complainant to address a meeting of the Board. The Chairperson of the Board of Management will normally chair this meeting. In general, similar procedures are followed by post-primary schools in the VEC and Community and Comprehensive sectors. If, following the completion of the complaints procedure and the issuing of a finding by the Board of Management of the school, the complainant remains dissatisfied, she/he may raise the matter with my Department.

School Accommodation.

188. **Deputy Willie Penrose** asked the Minister for Education and Science the position in relation to the application for new accommodation at a school (details supplied) in County Westmeath; and if she will make a statement on the matter. [28822/07]

Minister for Education and Science (Deputy Mary Hanafin): I am pleased to advise the Deputy that on 22 February 2007, my Department gave devolved authority for the project in question to proceed to tender and construction. I understand that tenders have been returned and my Department is currently awaiting the tender report.

School Curriculum.

189. **Deputy Mary Upton** asked the Minister for Education and Science when she expects physical education to become a recognised subject on both the junior and leaving certificate curriculum; the difficulties preventing the inclusion of PE on the curriculum starting in 2008; the steps she is taking to overcome these problems; and if she will make a statement on the matter. [28857/07]

Minister for Education and Science (Deputy Mary Hanafin): In accordance with the Rules and Programme for Secondary Schools, all second-level schools should offer Physical Education as part of the curriculum. The programme should be based on the Department's approved syllabuses and teaching hours should be registered on the school timetable. The syllabuses in Physical Education have been developed on the basis of a time allocation of two hours per week.

The phasing in of a revised Physical Education syllabus (non-examination) at Junior Cycle level commenced in September 2003. The Junior Cycle Physical Education Support Service has been in place since then to support teachers in the implementation of this syllabus. The programme includes adventure activities, aquatics, athletics, dance, invasion games, net and fielding games, gymnastics and health related activity. The Physical Education Programme in senior cycle is set out in the Rules and Programme for Secondary Schools, and is constructed across 5 areas: that students be given the opportunity to follow programmes in an optional area; to specialise in a PE area which has been taken at junior cycle; to undertake new activities; to undertake a personal fitness and health programme; and to receive training in sports Leadership.

The Programme for Government contains commitments to make PE mandatory at second level, put a revised PE curriculum for senior cycle students in place and examine the potential to introduce second level examinations in PE. The timescale for progression of these commitments will depend on a number of factors, including the

availability of resources. Specific difficulties that must be considered as part of the examination of the potential to introduce examinations in PE include the nature and type of assessment which would be appropriate and equity in access to facilities. This matter also needs to be considered in the context of the broader proposals for senior cycle reform put forward by the National Council for Curriculum and Assessment.

School Placement.

190. **Deputy Bernard J. Durkan** asked the Minister for Education and Science when school placement in Celbridge can be arranged for persons (details supplied) in County Kildare. [28879/07]

Minister for Education and Science (Deputy Mary Hanafin): Enrolment in individual schools is the responsibility of the managerial authority of those schools and the Department does not seek to intervene in decisions made by schools in such matters. The Department's main responsibility is to ensure that schools in an area can, between them, cater for all pupils seeking places. This may result, however, in some pupils not obtaining a place in the school of their first choice.

It is the responsibility of the managerial authorities of schools that are not in a position to admit all pupils seeking entry to implement an enrolment policy in accordance with the Education Act. In this regard a board of management may find it necessary to restrict enrolment to children from a particular area or a particular age group or, occasionally, on the basis of some other criterion. In formulating an admissions policy a school must, however, ensure it is lawful. In particular, it must act in accordance with Section 7 of the Equal Status Act 2000 which, subject to very limited exceptions, prohibits schools from discriminating against people in relation to a number of matters including the admission of a pupil to the school.

Currently, under Section 29 of the Education Act 1998, parents of a student who has been refused enrolment in a school may appeal that decision to the Secretary General of this Department. Such appeals are dealt with within 30 days of their receipt and where an appeal is upheld the Secretary General is empowered to direct the school to enrol the student. Otherwise, the National Educational Welfare Board (NEWB) is the statutory agency which can assist parents who are experiencing difficulty in securing a school place for their child.

I would point out to the Deputy that, in response to the need for additional primary school places in Celbridge, my Department recognised a new primary school which commenced operation this September. My Department is satisfied that, with this development,

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there are sufficient places available currently for all eligible pupils.

Schools Building Projects.

191. **Deputy Seán Ó Fearghail** asked the Minister for Education and Science the proposals she has received from County Kildare VEC with regard to the provision of second level accommodation to service the needs of Castledermot, County Kildare and its catchment area; her views on the renovation and extension of the existing school complex or if alternative approaches are envisaged; and if she will make a statement on the matter. [28915/07]

Minister for Education and Science (Deputy Mary Hanafin): I can confirm to the Deputy that the Department is in receipt of an application from County Kildare VEC for large scale capital funding for second level accommodation in Castledermot. The project has been assessed in accordance with the published prioritisation criteria for large scale building projects. Progress on the proposed works is being considered in the context of the multi-annual School Building and Modernisation programme.

192. **Deputy Jack Wall** asked the Minister for Education and Science the number of planning applications for primary schools made by her Department for the past five years; the number of planning permissions objected to or referred to An Bord Pleanála; the decision of An Board Pleanála in relation to each appeal; and if she will make a statement on the matter. [28921/07]

193. **Deputy Jack Wall** asked the Minister for Education and Science the number of planning applications for secondary schools made by her Department for the past five years; the number of planning permissions objected to or referred to An Bord Pleanála; the decision of An Bord Pleanála in relation to each appeal; and if she will make a statement on the matter. [28922/07]

Minister for Education and Science (Deputy Mary Hanafin): I propose to take Questions Nos. 192 and 193 together.

The information sought by the Deputy is not readily available in my Department. However, if the Deputy wishes to request details on a specific school, my officials will provide the required information.

194. **Deputy Jack Wall** asked the Minister for Education and Science the number of planning applications for third level colleges and institutions made by her Department for the past five years; the number of planning permissions objected to or referred to An Bord Pleanála; the decision of An Bord Pleanála in relation to each

appeal; and if she will make a statement on the matter. [28923/07]

Minister for Education and Science (Deputy Mary Hanafin): The information requested by the Deputy is not maintained by my Department. Third Level Colleges and Institutions are autonomous bodies and are responsible for the day to day management of their affairs, including applications for planning permission for building projects.

Special Educational Needs.

195. **Deputy Finian McGrath** asked the Minister for Education and Science if she will support the case of a person (details supplied) in Dublin 5. [28942/07]

Minister for Education and Science (Deputy Mary Hanafin): As the Deputy will be aware, the National Council for Special Education is responsible, through its network of local Special Educational Needs Organisers, for allocating resource teachers and special needs assistants to schools to support children with special needs. All schools have the names and contact details of their local SENO. Parents may also contact their local SENO directly to discuss their child's special educational needs, using the contact details available on www.ncse.ie. I have arranged for the details supplied by the Deputy to be forwarded to the NCSE for their attention and direct reply.

School Curriculum.

196. **Deputy Brian Hayes** asked the Minister for Education and Science her position on the introduction of bonus leaving certificate points for maths and science subjects; if she has immediate or long-term plans for introducing such a scheme; and if she will make a statement on the matter. [28946/07]

Minister for Education and Science (Deputy Mary Hanafin): The admission requirements for entry into third level colleges and the delineation of points for particular subjects are matters for decision by the colleges themselves. The Central Applications Office provides a processing service on behalf of the colleges, based on the parameters stipulated by the colleges for entry purposes. I am on record as favouring the provision of bonus points for Higher Level Mathematics where students are entering third level programmes with a high maths content, such as in science, engineering and technology. I have publicised my views in the hope of stimulating debate among third level colleges on this issue.

A revised programme in Mathematics is now being developed at junior and senior cycle by the National Council for Curriculum and Assessment which will provide a bridging framework from the revised primary curriculum, and will be designed to ensure that students will experience mathemat-

ics in a new way. The programme will provide a strong focus on context and applications and problem solving, and enable students to have a greater realisation of the many ways mathematics is applied in the real world.

There are commitments in the Strategy for Science Technology and Innovation to further enhance science teaching and learning and improve the uptake of senior cycle Physics and Chemistry. These include ensuring that the project based hands-on investigative approach now in place at junior cycle is extended to senior cycle, that assessment of practical skills is strengthened, and that there is an emphasis on the inter-disciplinary nature of science in society. Proposals from the NCCA in this area are expected to be forwarded to my Department early next year.

Reforms in these areas are designed to enhance the attractiveness and understanding of science and mathematics so that more students will be encouraged to pursue these areas in third level and in their future careers.

Psychological Service.

197. **Deputy Brian Hayes** asked the Minister for Education and Science the number of private psychologists contracted by the National Educational Psychological Service in January 2007; the number of private psychologists on contract with the service; and if she will make a statement on the matter. [28947/07]

Minister for Education and Science (Deputy Mary Hanafin): I would presume that the Deputies is alluding, in his reference to private psychologists, to those who participate in the Scheme for Commissioning Psychological Assessments (SCPA). This Scheme was established in 2001 to allow schools, who do not have a NEPS psychologist assigned to them, to commission individual psychological assessments from a panel of private psychologists set up by NEPS for this purpose. The scheme allows one assessment per 50 pupils enrolled in the school.

Access by private psychologists to the SCPA panel is moderated by NEPS who ensure that applicants are members of a relevant professional association, have experience in the individual assessment of children and have Garda clearance. A list of panellists and their contact details is provided on my Department's website for the information of schools concerned along with guidelines on the operation of the process and forms

to be used in this regard. It is the school authority that engages the particular panellist.

Payment is made by NEPS to the psychologist in respect of assessments commissioned within the scheme upon receipt of certification of the satisfactory completion of the assessment signed by the school principal and the panel psychologist. As a matter of information, some 148 private psychologists were on the published panel for SCPA in January 2007. Currently, there are 144.

Defence Forces Property.

198. **Deputy Seán Ó Fearghail** asked the Minister for Defence if the process of transferring the lands at Magee Barracks, Kildare to Kildare County Council for affordable housing purposes has been concluded; if the former army houses at Magee Terrace and St. Barbara's Park, Kildare have or will be in charge by Kildare County Council as part of this process; and if he will make a statement on the matter. [28916/07]

Minister for Defence (Deputy Willie O'Dea): The Government decided on 1 July 2003 that Magee Barracks, Kildare, would be among the State lands released for inclusion in the Sustaining Progress Affordable Housing Initiative. With regard to Magee Barracks, the modalities of the transfer of the property to Kildare County Council are in process in consultation with the Department of the Environment, Heritage and Local Government and the Chief State Solicitor's Office. The former Married Quarters at Magee Barracks were sold to the occupants some years ago and the roads and services surrounding same will be taken in charge by Kildare County Council as part of the overall transfer of Magee Barracks.

Garda Operations.

199. **Deputy Thomas P. Broughan** asked the Minister for Justice, Equality and Law Reform the average response times for gardaí when dealing with emergency calls in 2005, 2006 and to date in 2007; the average response time for the gardaí to deal with non-emergency calls for the years 2002 to 2006 and to date in 2007; and if he will make a statement on the matter. [28771/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that Garda response times to emergency and non-emergency calls in the Dublin Metropolitan Area are contained in the table.

Garda Response to Emergency and Non-emergency Calls in the Dublin Metropolitan Area

	2007 (to date)	2006	2005
Emergency calls responded to in under 15 minutes	79	78	78
Non-emergency calls responded to in under 15 minutes	40	41	40

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Response times refer to the period from receipt of a call by An Garda Síochána to having Gardaí at the scene. I am further informed that statistics other than for the Dublin Metropolitan Region are not readily available and can only be obtained by the disproportionate expenditure of Garda time and resources.

200. **Deputy Barry Andrews** asked the Minister for Justice, Equality and Law Reform if he will report on the effectiveness and application of the adult caution scheme since its introduction in January 2006; and if he will make a statement on the matter. [28789/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Garda authorities that the background to the introduction of the Adult Caution Scheme was the report of the Public Prosecution System Study Group published in 1999. In order to reduce the volume of cases being brought before the courts the report recommended that a system whereby offenders would be issued with warnings by the Gardaí instead of being prosecuted be introduced.

Offences deemed appropriate for inclusion in the scheme were arrived at through consultations between the Office of the Director of Public Prosecutions and An Garda Síochána. The scheme operates on a non-statutory basis and under the common law powers of the Garda Síochána. I am informed by the Garda authorities that in 2006 4,294 cautions were issued. From 1 January to 11 November, 2007 there have been 5,876 cautions issued.

The main offences in respect of which cautions were issued are as follows.

	2006	2007
Theft Offences	1,244	1,753
Public Order and Drunkenness Offences	2,327	3,352
Minor Assaults	203	155
Criminal Damage	295	373
Total	4,069	5,633

Figures provided for 2007 are provisional, operational and liable to change.

Closed Circuit Television Systems.

201. **Deputy Dan Neville** asked the Minister for Justice, Equality and Law Reform if he will sanction money to provide closed circuit television cameras for a community group in Croom, County Limerick which is trying to deal with anti-social behaviour; the criteria to be satisfied to receive such funding; and if he will make a statement on the matter. [28790/07]

Minister for Justice, Equality and Law Reform

(Deputy Brian Lenihan): My Department provides financial assistance under the Community-based CCTV Scheme to qualifying local organisations towards meeting the capital costs associated with the establishment of local, community-run CCTV systems. The scheme operates at two levels: initial funding for the assessment of needs (Stage 1) and substantive funding for fully developed proposals (Stage 2). Matching funding for RAPID areas is available from the Department of Community, Rural and Gaeltacht Affairs. Pobal has been engaged to administer the Scheme on behalf of my Department. It interacts with the applicants to the scheme, provides advice and assistance and carries out thorough evaluations of every application made.

I have been informed by Pobal that under the first Round of the Scheme proposals were received from a community group in Croom. However, following thorough evaluation by Pobal they were not recommended for funding. Feedback in this regard was provided directly to the group from Pobal.

I am committed to the further expansion of community-based CCTV around the country and this process is ongoing. It is intended to invite applications for funding under the Scheme periodically and it will be open to any group, including from Croom, to submit an application for funding. Details of the scheme and relevant documentation are available at my Department's website (www.justice.ie) or at Pobal's website (www.pobal.ie).

Illegal Immigrants.

202. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform if he will introduce a temporary permit or bridging visa to allow undocumented migrants to re-enter the system; and if he will make a statement on the matter. [28814/07]

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(Deputy Brian Lenihan): I have no proposals to introduce any general regularisation programme for undocumented migrant workers in the State. Each case must be considered on its individual merits and this approach is being followed in respect of those brought to the attention of the immigration authorities where the migrant has become undocumented after previously holding a work permit. Depending on the circumstances of the case the individual may be permitted to remain on in the State for the purposes of seeking a new work permit.

The introduction of temporary permits or bridging visas would amount to a general regularisation for persons who do not have permission to be in the State. Such regularisations are highly problematic and carry the danger of creating a pull factor for illegal migration. In general, if a person who is illegally in Ireland wishes to regu-

larise his or her position, he or she should leave the State voluntarily and seek to return through the legal channels.

Immigration Issues.

203. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform if he will clarify the status of Romanian and Bulgarian citizens who come to Ireland and their entitlements regarding social welfare and the right to work; and if he will make a statement on the matter. [28815/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): Bulgarian and Romanian nationals are citizens of the EU and like all EU citizens they have the right to move to and reside in Ireland. The immigration law which applies to all EU citizens moving to Ireland is set out in the European Communities (Free Movement of Persons) (No. 2) Regulations 2006 (SI No. 656 of 2006).

Nationals of Bulgaria or Romania working legally in Ireland will be covered by the Irish social insurance (PRSI) system and may qualify for Irish social insurance benefits such as illness or jobseeker's benefits provided they meet the relevant qualifying criteria. EU Regulation 1408/71 provides for the aggregation of contributions paid in other Member States with those paid in Ireland should the claimant have insufficient social insurance contributions made in Ireland alone. They may also qualify for family benefits (e.g. Child Benefit and Early Childcare Supplement) on the basis of their employment status here in respect of their non-resident children (if any).

Bulgarian and Romanian nationals who do not have the relevant work permit and consequently do not have access to the labour market may qualify for certain means-tested social assistance payments provided they satisfy the Habitual Residence Conditions. Arising from the previous Government's decision of 24 October 2006, Bulgarian and Romanian nationals require work permits in order to work in Ireland unless they are otherwise exempt from that rule.

Asylum Applications.

204. **Deputy Joe Costello** asked the Minister for Justice, Equality and Law Reform the progress on the application for refugee status by a person (details supplied) in County Limerick; and if he will make a statement on the matter. [28816/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): As this case is the subject of legal proceedings, I am unable to comment on same.

Garda Deployment.

205. **Deputy Phil Hogan** asked the Minister for

Justice, Equality and Law Reform if he will allocate additional gardaí to Castlecomer Garda station in County Kilkenny; and if he will make a statement on the matter. [28838/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): It is the responsibility of the Garda Commissioner to allocate personnel throughout the Force taking everything into account. The situation will be kept under review and when additional personnel next become available the needs of the Garda Station referred to by the Deputy will be fully considered by him within the overall context of the needs of Garda Districts/Divisions throughout the country.

Garda Stations.

206. **Deputy Phil Hogan** asked the Minister for Justice, Equality and Law Reform when he will proceed with the construction of a new Garda station in Kilkenny city; and if he will make a statement on the matter. [28839/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The ongoing programme of replacement and refurbishment of Garda accommodation around the country is based on agreed priorities established by An Garda Síochána in consultation with its representative associations. The programme is progressed by the Garda authorities working in close co-operation with the Office of Public Works, which has responsibility for the provision and maintenance of Garda accommodation. I have been informed by the Garda authorities that a brief of requirements for the new Regional Headquarters in Kilkenny City has been agreed and forwarded to the Office of Public Works. I am also informed by the Garda authorities that the relevant Garda officials will continue to liaise closely with the Office of Public Works to ensure the Garda accommodation requirements in Kilkenny City are met.

Residency Permits.

207. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform, further to his reply to Parliamentary Question No. 268 on 7 November 2007, the date the requirement for a police clearance certificate for long-term residency applications was introduced, or beginning with applications received, the date if that was the determining factor. [28858/07]

208. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform, further to his reply to Parliamentary Question No. 268 on 7 November 2007, if all applicants whose applications were about to be processed on the date the requirement for a police clearance certificate for long-term residency was introduced were notified of this requirement or only selected

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applicants; and the number of the 5915 cases on hand as reflected in his reply that have been affected by this new requirement. [28859/07]

209. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform, further to his reply to Parliamentary Question No. 268 of 7 November 2007, the reasoning behind making the requirement for a police clearance certificate for long-term residency applications retroactive; the reasoning behind this requirement being issued in the final stage of processing, contributing to further delays within the system, rather than early in the process; the reason INIS has not listed this requirement on the long-term residency information page of the INIS website; if it is intended to do so and when; if not, the reason. [28860/07]

210. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform, further to his reply to Parliamentary Question No. 268 on 7 November 2007, if it is INIS policy to require police clearance certificates from all long-term residency applicants for every country they have lived in; his views on whether it is practical or possible for many people to obtain police clearance certificates from every country they have lived in; and if he will make a statement on the matter. [28861/07]

211. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice, Equality and Law Reform, further to his reply to Parliamentary Question No. 268 of 7 November 2007, the policy in relation to people who will not be able to secure police clearance certificates from every country they have lived in; if consideration will be given to people who have met all other requirements, as explained to them at the time they applied for long-term residency and have left or must leave exploitative employment situations potentially putting them into a situation of becoming undocumented migrants while they await decisions on their residency applications; and if he will make a statement on the matter. [28862/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I propose to take Questions Nos. 207 to 211, inclusive, together.

Long term residency is an administrative scheme that was introduced in May 2004 and is focused on persons who have been legally resident in the State for over five years on the basis of work permit / work authorisation / work visa conditions. Such persons may apply to the Immigration Division of my Department for a five year residency extension. To date, the Irish Naturalisation and Immigration Service has received almost 6,000 applications under the scheme. The permission to remain granted under this Scheme

gives non EEA nationals an exemption from work permit requirements thus significantly enhancing and giving security of tenure to their entitlement to be in the State. Applications for long term residency must therefore be processed in a way that preserves the necessary checks and balances to ensure that it is not undervalued and is given only to non EEA nationals who satisfy the criteria.

At time of processing, each application is examined to verify the application meets the residency criteria. Should an applicant meet the residency criteria a character reference check is then carried out. This includes a requirement for applicants to produce a police clearance certificate from their country of origin and any other country they resided in prior to travelling to this State. The requirement for a police clearance certificate was introduced recently as part of the character clearance aspect of the application process.

I accept there could be situations where applicants for long term residency, who have been away from their county of origin for considerable periods of time, may encounter difficulties in getting the necessary police clearance certificate. It is expected that such situations will arise only on an exceptional basis, and will be considered on a case by case basis having regard to all of the factors involved in the processing of applications for long term residency.

The INIS website will shortly be updated with the relevant information and future acknowledgements to applicants for long term residency will be advised of the requirement to provide a police clearance certificate.

Asylum Applications.

212. **Deputy Denis Naughten** asked the Minister for Justice, Equality and Law Reform the number of asylum applications which were deemed by his Department to be withdrawn in each of the past five years; the number of such notifications which were not responded to by the applicant; the subsequent number of notifications of deportation which were issued on foot of a failure to respond in each year concerned; and if he will make a statement on the matter. [28875/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Immigration Act 2003, which was commenced on 15 September 2003, contained a number of key changes to the Refugee Act, 1996 which enabled the processing of asylum applications to be speeded up and also enhanced our ability to deal with abusive applications. These changes included the imposition on applicants of a clear statutory duty to actively pursue their asylum applications and co-operate at all times with the processing agencies or face having their applications deemed withdrawn.

The most common reasons for an application to be deemed withdrawn are where an applicant fails to attend for an interview without reasonable

cause; an applicant fails to co-operate with the Refugee Applications Commissioner after having lodged his or her application or an applicant fails to notify the Commissioner of his or her postal address or change of address. Since the commencement of the Immigration Act 2003 recommendations are made by ORAC (Office of the Refugee Applications Commissioner) to the

Year	2003	2004	2005	2006	2007 (31/10)
Deemed Withdrawn	402	1,734	802	477	1,103

Section 13(2) of the Refugee Act 1996 (as amended) provides that there is no right of appeal against a recommendation to deem an application withdrawn.

Where an asylum application is deemed to be withdrawn the applicant is served with a notice of intent to deport under section 3(3)(a) of the Immigration Act 1999. A person served with a notice of intent to deport is afforded certain options, viz. to leave the State voluntarily; to consent to the making of a Deportation Order; or to make representations in writing within 15 working days setting out reasons as to why a Deportation Order should not be made and why temporary Leave to Remain in the State be granted instead.

In determining whether to make a deportation order or grant temporary leave to remain in the State, I must have regard to the eleven factors set out in Section 3(6) of the Immigration Act 1999, as amended, and Section 5 (Prohibition of Refoulement) of the Refugee Act 1996, as

Year	2003	2004	2005	2006	2007 (31/10)
No. of Asylum Applications Transferred to Convention Countries	0	65	209	294	186

Recidivism Rate.

213. **Deputy Lucinda Creighton** asked the Minister for Justice, Equality and Law Reform the number of the 2641 prisoners referred to in Parliamentary Question No. 476 of 6 November 2007 who had previous convictions prior to the conviction for which they are currently serving a sentence; the average number of previous convictions a current prisoner excluding remand or immigration-related prisoners has; and if he will make a statement on the matter. [28909/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): I am informed by the Director General of the Irish Prison Service that the compilation of statistics relating to all offences for which prisoners have been convicted in the context of their current sentences or previous ones, if applicable, on an individual prisoner basis, would require a disproportionate and

Minister that an application should be deemed withdrawn.

The number of asylum applications deemed to be withdrawn since 2003 are set out in the table (applications deemed to be withdrawn where the application was transferred to another Dublin Convention country are provided separately in the next table).

amended. Temporary leave to remain is considered in every case regardless of whether representations are made by, or on behalf of, the persons concerned. Statistics are not maintained in a way which distinguishes between those who have made an application for leave to remain and those who have not. Moreover, it must be borne in mind that many of those who failed the asylum process, and who did not opt to return voluntarily or consent to deportation, nonetheless left the State before a decision to deport or grant leave to remain was made.

Section 22(8) of the Refugee Act (as amended) provides that where an application has been transferred to a Dublin Convention country for examination or to a safe third country, the application shall be deemed to be withdrawn.

The number of applications transferred to a convention country in each of the years since the Dublin II Regulation (Council Regulation (EC) No. 343/2003) was commenced on 1 September 2003 is set out in the table.

inordinate amount of staff time and effort to prepare and could not be justified in current circumstances where there are other significant demands on resources.

214. **Deputy Lucinda Creighton** asked the Minister for Justice, Equality and Law Reform the resources he has already made available to detail and analyse the patterns and statistics of repeat offending of convicted criminals and recidivism; the resources he plans on making available; and if he will make a statement on the matter. [28910/07]

Minister for Justice, Equality and Law Reform (Deputy Brian Lenihan): The Irish Prison Service facilitated the first major study of prisoner re-offending by the UCD Institute of Criminology. The study found that 27.4% of released prisoners were serving a new prison sentence within one year. This rose to 39.2% after two years, 45.1%

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after three years, and 49.2% after four years. The findings are in line with international experience, and I understand that they may in fact be considered to fall in the mid to lower range of recidivism internationally. While these figures are high, they still show that just over 50% of prisoners do not re-offend within four years of release, which compares well internationally.

In order to reduce the rates of re-offending, it is vital that offenders, or those who come in contact with the law, are targeted at as early an age as possible. Significant progress has been made in recent years in creating a more effective youth justice system, based on principles which are set out in the Children Act 2001, as amended. The Office of the Minister for Children has brought greater coherence to children's policy across government Departments. The Irish Youth Justice Service (IYJS), an Executive Office of my Department which is co-located in the office of the Minister for Children, has responsibility for developing youth justice policy and operating the children detention schools.

The Irish Youth Justice Service is committed to developing information and data on youth offending and this will be an objective in the forthcoming National Youth Justice Strategy which will cover the period 2008-2010. The Irish Youth Justice Service is contributing to a research on recidivism and young offenders. This study is a continuation of the UCD study and will focus on young offenders. This study will be a valuable addition to the research available on recidivism, in particular in respect of young offenders.

Building Regulations.

215. **Deputy Phil Hogan** asked the Minister for the Environment, Heritage and Local Government the urgent measures he will adopt to ensure that private apartment schemes have adequate fire safety provision in view of the recent Dublin City Council survey of private apartment schemes which highlighted that three-quarters of private apartment schemes in Dublin have inadequate fire safety provision; and if he will make a statement on the matter. [28887/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen): The 1997 Building Regulations made under the Building Control Act 1990 sets out the requirements, including fire safety, to be met in the design and construction of new buildings, including apartment complexes. Primary responsibility for compliance with the Building Regulations rests with the builders and owners of buildings. Similarly the implementation of fire safety and fire prevention measures required when a premises is constructed and occupied, other than a dwelling occupied as a single dwelling, is the responsibility of the person

having control of the premises as set out in the Fire Services Act 1981 and 2003.

The Department's role is to provide the legislative framework within which authorities carry out their functions in these areas. The Fire Services Act 1981 and 2003 and the Building Control Act 1990 provide the necessary underpinning in this instance. The enforcement of the various fire safety provisions is a matter for individual building control authorities and fire authorities, as appropriate.

Under the building control regime, a Fire Safety Certificate is required for the design of non-domestic buildings, including apartment blocks. This Certificate, which is granted by the Building Control Authority, certifies that the building, if constructed in accordance with the design, plans and documentation submitted, will comply with Part B Fire Safety of the Building Regulations. The role of the local building control authority is to oversee and monitor enforcement of the building control system. Authorities are empowered to carry out inspections and undertake, where necessary, enforcement action in order to ensure compliance.

Section 18(2) of the Fire Services Act 1981 and 2003 places a duty on persons having control over all premises, other than a dwelling occupied as a single dwelling, to take reasonable measures to "guard against an outbreak of fire and provide appropriate fire safety procedures and to ensure as far as is reasonably practicable the safety of persons on the premises in the event of an outbreak of fire whether such outbreak has occurred or not". The Department has published a number of guidance documents to assist persons in discharging their statutory responsibilities in this area. Fire authorities were given increased inspection, enforcement and prosecution powers in 2003.

Water and Sewerage Schemes.

216. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government if the Ennis water augmentation scheme will be delivered on time; if there are plans to fast track the scheme; and if he will make a statement on the matter. [28773/07]

218. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government the position regarding the Ennis water augmentation scheme; the funding available for same; when the scheme will be implemented; and if he will make a statement on the matter. [28809/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): I propose to take Questions Nos. 216 and 218 together.

The Ennis Town Water Supply Augmentation Scheme is approved for construction under my Department's Water Services Investment Prog-

ramme 2007-2009 at an estimated cost of €6.3m. My Department approved Clare County Council's proposals to lay the pipework for the scheme in conjunction with the Ennis Road Bypass in 2005. The advancement and completion of the scheme is a matter for Clare County Council.

217. **Deputy Pat Breen** asked the Minister for the Environment, Heritage and Local Government if the Ennis sewerage scheme has reached capacity; if so, if there are plans to provide funding for a temporary solution until the proposed new system is installed in 2012; and if he will make a statement on the matter. [28788/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Ennis/Clarecastle Sewerage Scheme, which includes the provision of a new wastewater treatment plant, is included in my Department's Water Services Investment Programme 2007-2009 as a scheme to begin construction in 2009. My Department approved Clare County Council's Preliminary Report for the scheme in September 2006. The Council's brief for the appointment of consultants to prepare Contract Documents for the scheme is being examined in the Department as quickly as possible. My Department has received no proposals from the Council in relation in relation to temporary treatment facilities.

Question No. 218 answered with Question No. 216.

219. **Deputy Willie Penrose** asked the Minister for the Environment, Heritage and Local Government the progress on the application for approval by Westmeath County Council of Finea sewerage scheme, County Westmeath; and if he will make a statement on the matter. [28823/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Finea Sewerage Scheme is included in my Department's Water Services Investment Programme 2007-2009 as a scheme to advance through planning at an estimated cost of €1.6 million. Westmeath County Council's Preliminary Report and Water Services Pricing Policy Report for the scheme are being examined in my Department and are being dealt with as quickly as possible. Under devolved procedures, the Council will be free to proceed to tender once these reports have been approved.

220. **Deputy Willie Penrose** asked the Minister for the Environment, Heritage and Local Government when full approval will be given to Westmeath County Council to enable Athlone main drainage to commence; if he will take steps to have same expedited; and if he will make a statement on the matter. [28824/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Phase 1 of the Athlone Sewerage Scheme is included in my Department's Water Services Investment Programme 2007-2009 as a scheme to begin construction in 2008 at an estimated cost of €15 million. Westmeath County Council's Preliminary Report for the scheme is being examined in my Department and is being dealt with as quickly as possible. In the meantime, I understand that the Council is advancing the appointment of consultants for the design and construction stages of the scheme.

221. **Deputy Willie Penrose** asked the Minister for the Environment, Heritage and Local Government the status of an application for a new sewerage scheme for Rathowen, County Westmeath; if he will take steps to expedite same; and if he will make a statement on the matter. [28825/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Rathowen Sewerage Scheme is included in my Department's Water Services Investment Programme 2007-2009 as a scheme to advance through planning at an estimated cost of €1.9 million. Westmeath County Council's Design Review and Water Services Pricing Policy Reports for the scheme are being examined in my Department and a reply will issue shortly. Under devolved procedures, the Council will be free to proceed to tender once these reports have been approved.

222. **Deputy Willie Penrose** asked the Minister for the Environment, Heritage and Local Government the status of the application by Westmeath County Council for the installation of a sewerage scheme for Delvin, County Westmeath and in particular the necessary upgrading of the treatment plant; and if he will make a statement on the matter. [28826/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Delvin Sewerage Scheme has been approved for funding under my Department's Water Services Investment Programme 2007-2009 as part of the Serviced Land Initiative at an estimated cost of €4.3 million. My Department is awaiting additional information requested from Westmeath County Council in relation to the Council's Design Review Report for the scheme.

223. **Deputy Willie Penrose** asked the Minister for the Environment, Heritage and Local Government his Department's assessment and evaluation of an application for approval by Westmeath County Council for the scheme to upgrade Kilbeggan sewerage scheme; and if he will make a statement on the matter. [28827/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley):

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Phase 1 of the Kilbeggan Sewerage Scheme is included in my Department's Water Services Investment Programme 2007-2009 as a scheme to advance through planning at an estimated cost of €5.5 million. Westmeath County Council's Preliminary Report for the scheme is being examined in my Department and is being dealt with as quickly as possible.

224. **Deputy Willie Penrose** asked the Minister for the Environment, Heritage and Local Government the status of an application by Westmeath County Council for the upgrading of Moate sewerage scheme; the expected timetable for same; and if he will make a statement on the matter. [28828/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Phase 1 of the Moate Sewerage Scheme is included in my Department's Water Services Investment Programme 2007-2009 as a scheme to advance through planning at an estimated cost of €9.7 million. Westmeath County Council's Preliminary Report for the scheme is being examined in my Department and is being dealt with as quickly as possible.

Local Authority Housing.

225. **Deputy Willie Penrose** asked the Minister for the Environment, Heritage and Local Government if he will confirm that his Department has received an application from Westmeath County Council seeking approval to construct an isolated house for a person (details supplied) in County Westmeath; if he will convey the approval thereof to the council without delay; and if he will make a statement on the matter. [28829/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): Westmeath County Council has made an application in respect of the matter concerned. The proposal is currently under consideration, and my Department will respond to the local authority as soon as possible.

226. **Deputy Dan Neville** asked the Minister for the Environment, Heritage and Local Government the reason newly established agencies (details supplied) in County Limerick who have recently advertised in the public press and on tenders for the provision of a range of services did not include the provision of legal services; if legal advisers or services have been engaged by the agencies; if so, the reason there was no tendering process; and if he will make a statement on the matter. [28836/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): The Limerick Northside

and Southside Regeneration Agencies were established under the Local Government Services (Corporate Bodies) Act 1971 and are independent of my Department in operational matters. I have no function in the matter raised in the Question.

Questions Nos. 227 and 228 answered with Question No. 57.

Question No. 229 answered with Question No. 94.

Waste Management.

230. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government if he is satisfied that adequate funding will be provided by his Department to ensure that waste management and disposal conform to Government policy as set out in the programme for Government; and if he will make a statement on the matter. [28924/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Through the Environment Fund, and also more recently through the Exchequer, my Department co-funds the establishment of new recycling facilities by local authorities and also provides funding to subvent the operating costs of such facilities. Some €100m has been allocated in this way in respect of capital costs since 2002. This funding is provided in respect of facilities such as bring banks, civic amenity sites and materials recovery facilities. However, as provided for in the National Development Plan, heavy waste infrastructure, such as landfills or other significant disposal or recovery facilities, are not State funded but are to be provided by the private sector as entirely commercial developments or by local authorities by way of public private partnerships. In accordance with the Programme for Government my Department is committed to further expansion of the network of recycling facilities.

Question No. 231 answered with Question No. 66.

232. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government the Government policy in regard to the extent to which it is expected to cater for waste management and disposal in future through landfills, recycling or incineration; and if he will make a statement on the matter. [28926/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): The Programme for Government clearly sets out the approach to waste management that will be reflected in national policy in the years ahead. It is firmly grounded in a continuing commitment to the waste hierarchy with a renewed drive towards

the achievement of international best practice in the reduction, re-use and recycling of our waste. This, coupled with an increasing emphasis on technologies for the mechanical and biological treatment of waste, will significantly reduce potential reliance on landfill and incineration. To assist the process of ensuring that our waste management system can act in support of these objectives my Department is initiating the major review of waste management policy foreseen in the Government's policy programme and which will help to ensure we have the legal, institutional and policy framework to achieve international best practice in the management of our waste.

Questions Nos. 233 to 235, inclusive, answered with Question No. 66.

Water Supply.

236. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government if he has received technical advice on the degree to which the River Liffey continues to provide supplies of drinking water and cater for waste water treatment; and if he will make a statement on the matter. [28930/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Local authorities are responsible for the operation and management of water supply and wastewater treatment infrastructure. Details of the volumes of water abstracted from, and of wastewater discharges to, the River Liffey may be obtained from the relevant local authorities.

Question No. 237 answered with Question No. 70.

Question No. 238 answered with Question No. 66.

Air Pollution.

239. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government if he has been informed of any areas throughout the country which appear to have particular problems with air pollution; and if he will make a statement on the matter. [28933/07]

242. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government if he has studied the results of air quality monitoring from various points throughout County Kildare; and if he will make a statement on the matter. [28936/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Tony Killeen): I propose to take Questions Nos. 239 and 242 together.

I refer to the reply to Question No. 363 of 17 October 2007.

Question No. 240 answered with Question No. 66.

Local Authority Funding.

241. **Deputy Bernard J. Durkan** asked the Minister for the Environment, Heritage and Local Government the extent to which he expects to provide the necessary funding to the various local authorities in County Kildare in the coming years to meet the accommodation requests of all those on housing lists; and if he will make a statement on the matter. [28935/07]

Minister of State at the Department of the Environment, Heritage and Local Government (Deputy Batt O'Keeffe): My Department has recently concluded a series of meetings with housing authorities to review progress on the 2007 housing programme and to discuss planned programmes for the 2008-2010 period. Allocations under the Social Housing Investment Programme to underpin the 2008-2010 programme will be made early in the New Year.

Question No. 242 answered with Question No. 239.

Waste Management.

243. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government if the reports referred to in the Dáil indicating that four incinerators was the number mentioned in a number of reports, are reports compiled on behalf of or for his Department; his views on these reports; and if he will make a statement on the matter. [29013/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): In accordance with the provisions of waste management legislation, decisions in respect of the number of municipal waste incinerators which may be developed are the responsibility of local authorities, in the context of the regional waste management plans for which they have statutory responsibility, and of commercial enterprises in relation to private sector facilities.

Such projects are not formally reported on by my Department. However, it has been widely reported that a number of thermal treatment projects are being advanced. These include a municipal waste incinerator at Carranstown, Co. Meath and a hazardous waste incinerator at Ringaskiddy, Co. Cork, in respect of which the promoter has indicated that approval for the treatment of municipal waste at the location may be sought in the future, and a facility being promoted by Dublin City Council, on behalf of the Dublin local authorities, currently before An Bord Pleanála and the Environmental Protection Agency respectively. The other waste management regions identify, in their respective waste management plans, various approaches to the use of thermal treatment in waste management and a

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number of other private sector projects have been mooted. Such projects are at varying stages of development and would in all cases be subject to securing the necessary regulatory approvals.

The Government's policy in regard to waste management is clearly set out in the Programme for Government. It is firmly grounded in a continuing commitment to the waste hierarchy with a renewed drive towards the achievement of international best practice in the reduction, re-use and recycling of waste. There is a commitment to meeting our national objectives and EU obligations through an increasing emphasis on technologies for the mechanical and biological treatment of a growing volume of municipal waste. This will significantly reduce the future need for incineration capacity.

244. **Deputy Lucinda Creighton** asked the Minister for the Environment, Heritage and Local Government the basis on which he believes that with a developed MBT system the quantity of residual waste requiring disposal other than landfill would be reduced to 400,000 tonnes by 2016; the figures and reports on which he has made that calculation; and if he will make a statement on the matter. [29014/07]

Minister for the Environment, Heritage and Local Government (Deputy John Gormley): Data available to my Department from the National Waste Report produced annually by the EPA were used to extrapolate that by 2016, and having met EU landfill diversion targets, the volume of waste requiring further treatment could be reduced to some 400,000 tonnes if sufficient capacity for the mechanical and biological treatment of waste can be developed in that timeframe.

This level of ambition reflects Government policy in regard to waste management as set out in the Programme for Government. It is firmly grounded in a continuing commitment to the waste hierarchy with a renewed drive towards the achievement of international best practice in the reduction, re-use and recycling of waste. There is a commitment to meeting our national objectives and EU obligations through an increasing emphasis on technologies for the mechanical and biological treatment of a growing volume of municipal waste. This will significantly reduce the future need for incineration and landfill capacity. As provided for in the Government Programme my Department is initiating a major international review of waste management policy which will in part focus on how best to advance the use of the full range of technologies available for waste management.

Pensions Provision.

245. **Deputy Jack Wall** asked the Minister for Communications, Energy and Natural Resources if a person (details supplied) in County Kildare is entitled to pension under court hearing or court decision in relation to the pension rights of personnel attached to the Department of Post and Telegraphs who had to retire from the service when the person got married; and if he will make a statement on the matter. [28786/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): My Department recently received an application from the Department of Social and Family Affairs for employment details of this person in relation to their employment with the former Department of Posts and Telegraphs. My Department will assist in the provision of this information as soon as possible. My Department is not aware of any court hearing or decision in relation to this matter. However, my Department will assist as appropriate with any legal decisions pertaining to the pension rights of the person as regards their service with the Department of Post and Telegraphs.

Telecommunications Services.

246. **Deputy Pat Breen** asked the Minister for Communications, Energy and Natural Resources if the new generation network broadband pilot programme will be extended to the mid-west region; if funding will be provided to Shannon Development to develop this programme; if towns in County Clare will be included in the programme; and if he will make a statement on the matter. [28787/07]

Minister for Communications, Energy and Natural Resources (Deputy Eamon Ryan): The provision of telecommunications services, including next generation broadband is a matter for the private sector operating in a liberalised market, regulated by the Commission for Communications Regulation (ComReg).

My Department is currently drafting a policy paper on Next Generation Networks (NGNs). The paper will consider the extent and impact of Government investment in broadband infrastructure to date and review current communications infrastructure policy. It will also analyse policy options in relation to the optimum role for Government in encouraging and facilitating the planning and roll out of next generation broadband including how existing Government owned infrastructure and possible future Government investment could help achieve national policy objectives in this area. In this context it is premature to state whether particular towns or regions will be affected by any such potential investment.