

DÁIL ÉIREANN

AN COMHCHOISTE UM THALMHAÍOCHT AGUS MUIR

JOINT COMMITTEE ON AGRICULTURE AND THE MARINE

Dé Máirt, 17 Samhain 2020

Tuesday, 17 November 2020

Tháinig an Comhchoiste le chéile ag 4 p.m.

The Joint Committee met at 4 p.m.

Comhaltaí a bhí i láthair/Members present:

Teachtaí Dála/Deputies	Seanadóirí/Senators
Martin Browne,	Victor Boyhan,
Matt Carthy,	Lynn Boylan,
Michael Collins,	Paul Daly,
Michael Fitzmaurice,	Tim Lombard.
Paul Kehoe,	
Brian Leddin.	

I láthair/In attendance: Deputies Danny Healy-Rae, Michael Healy-Rae, Carol Nolan, Éamon Ó Cuív and Sean Sherlock and Senators Róisín Garvey and Eugene Murphy.

Teachta/Deputy Jackie Cahill sa Chathaoir/in the Chair.

Challenges for the Forestry Sector: Discussion (Resumed)

Chairman: Before we begin, members are requested to ensure that for the duration of the meeting their mobile phones are turned off completely, or switched to aeroplane safe or flight mode, depending on the device. It is not sufficient for members to just put their phones on silent mode as it may interfere with the broadcasting system.

The agenda is challenges facing the forestry sector. This is probably our last meeting in this series of meetings on the forestry sector. Our first witnesses are from Coillte, and I welcome Ms Imelda Hurley, chief executive officer, and Mr. Mark Carlin, managing director. I thank them for taking the time to prepare for today's meeting, including taking test calls from the secretariat. We have received their opening statements, which have already been circulated to members. To allow time for questions and answers, and given we are tight on time due to Covid restrictions, I ask the witnesses to keep their opening statements brief.

Witnesses are asked that only evidence connected with the subject matter of the proceedings should be given. They should respect the parliamentary practice that, where possible, they should neither criticise nor make charges against a person, persons or entity by name or in such a way as to make him, her or it identifiable or otherwise engage in speech that might be regarded as damaging to the person or to the entity's good name. I advise the witnesses who are giving evidence from locations outside the parliamentary precincts to note that the constitutional protections afforded to witnesses attending to give evidence before committees may not extend to them. No clear guidance can be given on whether, or the extent to which, the evidence to be given is covered by absolute privilege of a statutory nature. Persons giving evidence from another jurisdiction should also be mindful of their domestic statutory regime. If witnesses are directed by the committee to cease giving evidence on a matter, they must respect that direction. Members are reminded of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the Houses or an official either by name or in such a way as to make him or her identifiable.

I invite the representatives from Coillte to make their submission.

Ms Imelda Hurley: I am mindful of the request on time so I will identify the key areas of my statement. I am grateful for the opportunity to engage with the committee. With me today is Mark Carlin, managing director of Coillte Forest. Coillte currently manages an estate of 7% of the land area of Ireland, comprising of over 1 million acres, of which 90% is forested. Today, we are the largest forester and timber producer in Ireland and the largest provider of outdoor recreation in the country. We facilitate and develop renewable energy projects and we carry out nature conservation and biodiversity enhancement projects. We understand the importance of forests for wood, climate, nature and people. The criticality of our industry is evident in that we were deemed an essential service during the very tight Covid-19 related lockdown of last April and May. Over the last 30 years, Coillte has continually evolved, embraced change and brought new thinking to the management of Ireland's forestry estate. We will continue to do this as we look ahead and recalibrate in order to ensure that we have the right balance as we manage our forests for the future.

I very much welcome the appointment of the Minister for Agriculture, Food and the Marine, Deputy McConalogue, and the Minister of State, Senator Hackett, and we look forward to working with them in evolving a vision for forestry that responds to the challenges we face in the century ahead. While the current forestry programme will continue until the end of 2021,

Coillte will be a proactive participant in the stakeholder group that is being established to help develop its successor. It is imperative that any new programme focuses on providing a balanced approach to the multiple benefits of forestry and to a regulatory approach that works for all stakeholders.

Having outlined the criticality of our sector, I must point out that the current licensing crisis is of extreme concern to everyone in the forestry sector, and it is a crisis. The Forestry (Miscellaneous Provisions) Act 2020 is an important step in putting in place a forestry appeals process that is fit for purpose, and that allows the forestry appeals committee, FAC, to sit in multiple divisions and to be in a position to determine appeals swiftly and efficiently. Coillte welcomes the implementation of this legislation and thanks the members of the Oireachtas for its speedy passage. However, while the new legislation is important, it is only one of a number of key steps required to resolve this crisis, which has seriously challenged the sector throughout this year.

Right now, timber supply is at critically low levels, so low that jobs have already been lost, with many more still under threat. Coillte normally sells our annual timber harvest through a combination of an annual contract with each customer and a series of timber auctions. Our annual contract transacts half the timber that we supply to sawmills each year. This event takes place every October and is of fundamental importance to Coillte's customers because it provides them with security of supply for the year ahead. Due to a lack of licensed material, we have had to cancel this October's annual contract event. Alongside this, we are also unable to schedule any timber auctions, which are critical to our customers to procure the remainder of their timber supply requirements.

The reality for Coillte today is that we are doing everything we can to keep the timber supply chain across Ireland functioning, and to ensure the Department has all required information to process our licence applications, while at all times remaining in constant contact with our customers on what is now a case of managing emergency supplies. Right now, we are doing this with very significant difficulty and are operating on a very short-term basis.

This issue has arisen because the rates at which new licences are being issued, roads permitted and appeals heard are currently all below what is required to meet both our and our customers' requirements. For the forestry sector and timber market to function effectively, Coillte's annual harvest programme for 2021 must be fully licensed by the end of 2020. Currently, Coillte only has 16% of its timber licensed and available for next year, with a further 2.3 million cu. m of additional material needing to be licensed by the Department before the end of this year. In order to achieve this, the current licensing rate needs to almost triple. Additionally, approximately one quarter of our 2021 harvest programme is dependent on road permits being issued by the Department. The current rate of issue of these permits is inadequate and is, already in many instances, preventing us from accessing licensed timber.

Our timber supply challenge is further compounded by the fact that approximately 700,000 cu. m of Coillte's forestry licences are currently under appeal to the FAC. The hearing rate for our appeals, while recently increased, is still currently not sufficient to clear the backlog of Coillte appeals within what we consider to be the required timeframe for our industry to function normally.

All in all, the new legislation was only one of a number of steps required to address this crisis. In order to make a further significant positive impact, the FAC needs to be resourced such that all our appeals are determined by the end of January and to ensure that, going forward, all appeals are determined within a two-month turnaround timeframe. Additionally, the Depart-

ment needs more resources to meet the required tripling of our current forestry licensing rate. Without these resources, we will remain in crisis throughout 2021.

I now turn to ash dieback. Along with the entirety of the forestry industry, Coillte is determined to manage this disease effectively and to do whatever we can to restore ash to our forests and hedgerows. At all times, the goal is not only to see the species survive, but to implement measures to allow it to thrive. This has led Coillte to be part of the search for provenances of ash that are resistant to the disease. We form part of the Ash Society of Ireland, which was set up by the Department to find ways to save ash. We have identified 200 provenances of ash from throughout Europe that had strains that are resistant to dieback. The fight against ash dieback is a long one but we believe we are starting to make some good progress.

Before concluding, I will comment on the Brexit challenge. People in our sector are increasingly concerned about the prospect of a hard Brexit. Approximately 60% of Irish forestry products are exported to the UK and any disruption to supply chains would likely have a severe employment impact. This is particularly so for the panel products sector, which would face tariffs of 6%, thereby significantly undermining its competitiveness against domestic UK supplies.

Finally, as the licensing crisis has highlighted, Ireland needs a regulatory framework that supports the continued development of the entire forest sector. The current system imposes serious constraints on afforestation efforts, as well as on the efficient operation of the forest and timber sector. It is timely for the Department, in full consultation with the forest products sector, to complete a root and branch review of forest regulation in order to ensure that procedures and processes are fit for purpose going forward and that the right balance can be achieved.

As an immediate priority, it is critical that building blocks be put in place to restore confidence in Irish forestry. The Department has a critical and positive role in achieving this by processing the current forestry licences at pace and by the forestry appeals committee clearing the appeals backlog as a matter of urgency. I look forward to discussing these matters further with members.

Chairman: Many members are indicating they wish to ask questions. There has been a series of meetings and I note one part of the opening statement, which is that Coillte only has 16% of its timber licensed and available for next year, with a further €2.3 cu. m of additional material needed to be licensed by the Department before the end of this year. In order to achieve this, the current licensing system rate needs to be almost trebled. I underlined those points when the witness was speaking.

Deputy Matt Carthy: I thank our guests from Coillte for being here. I have a number of questions and I will try to be as brief as possible. As the Chairman mentioned, Ms Hurley mentioned the licensing backlogs and in speaking about the solutions, seemed to have a heavy focus on resources within the Department and the forestry appeals committee. Are resources the only deficiency or is there a need for further legislation?

Ms Hurley spoke about the Brexit challenge and issued a stark warning, particularly in the event of a no-deal Brexit. She did not list any specific proposals or propositions to try to mitigate the challenges of Brexit so does she have any proposals in that regard?

I welcome her commentary on the protection of the ash species and the measures put in place. If possible, could she indicate if there has been any scientific appraisal of whether those measures are working, the effect they are having and the long-term implications of those mea-

tures? At a previous meeting when we discussed ash dieback specifically, reference was made to the elm species and the fact that it was almost wiped out. Will Ms Hurley indicate if Coillte has been involved with any preservation measures for the species?

Today I read lengthy debate that occurred before the Covid-19 pandemic, when lengthy debates were possible, on the farm forestry partnership scheme. The witness is aware there is quite an amount of concern that the arbitration process has not been resolved. From reading the transcript, the inference of the committee was that the matters raised could be resolved. I received a response from Coillte further to a parliamentary question I had submitted that essentially indicates the matter has entered the legal realm and, therefore, no information would be provided to elected representatives. This is extremely worrying. Does the witness accept, in the first instance, that the very fact that this is caught in legal wrangling represents a failure but also that it represents a great threat to encouraging farmers to engage with Coillte and other statutory bodies on forestry matters?

It would be remiss of us not to mention a question that has arisen in recent days. I have been engaging with local communities on wind farms and the important role they can play in creating energy. In many areas, however, prior to a wind farm being developed, communities would often cite concerns, and this is particularly the case with Coillte-owned sites. I understand Coillte is the owner of the location of the Meenbog wind farm and it was involved in that project. Could we get clarification on Coillte's initial role?

The images certainly stopped me in my tracks when Mr. Mark Rooney posted a video on Twitter and other social media showing peat slippage and trees moving through the area adjacent to the Meenbog wind farm. Does Coillte accept the concerns raised by residents in advance of the development of that wind farm were legitimate? Does it accept that this incident raises serious concerns about future developments? Concerns are often dismissed out of hand and ridiculed in some instances but they were clearly legitimate in this case.

I have a copy of a letter from the energy company involved and it speaks of a lack of understanding or appreciation of the feelings of people involved. The letter is dated 12 November and somebody received it today from the energy company. It enclosed a leaflet and some general information on wind energy, while also outlining the proposed additional development at Meenbog. Does the witness accept that this is completely inappropriate and that her organisation has a role to play in this regard?

Chairman: The Deputy varied a bit from the agenda.

Deputy Matt Carthy: It relates to forestry. The forest in question has been moving because of developments there.

Chairman: Ash dieback is the matter on the agenda.

Deputy Matt Carthy: The agenda indicates "including ash dieback". I did not realise it was a restrictive agenda.

Deputy Michael Fitzmaurice: Will the witness comment on the proposed reconstitution and underplanting scheme, RUS, or does Coillte have any part to play in that?

In the past four weeks we have received information from a departmental dashboard on the licences issued and I note Coillte has received 180 licences. Will the witness confirm that this is all for commercial heavy cutting or are some for thinning? How many cubic metres of forestry

is tied up in the appeals process?

I will be brief as many speakers wish to contribute. There are partnerships in which people are seeking to cut timber and it is disappointing that Coillte, instead of going the legal route, has not sat down with the people involved. It will end up that lawyers and barristers will get more from the process than anybody else. Why has Coillte not looked to resolve the matter? I believe applications must have a Natura impact statement but is this now being disputed?

Deputy Brian Leddin: I thank Ms Hurley for her statement. There is one issue she did not refer to in her statement about which this committee would like to hear, namely Coillte's plans with respect to Coillte Nature. The company has exciting and ambitious plans in that regard so I ask her, for the benefit of the committee, to elaborate on them. If we are to meet the ambition of the State in respect of forestry and tree planting in the next few decades, we must get going and I see Coillte Nature as having a very significant role to play in that. I would appreciate it if Ms Hurley would elaborate on that.

I acknowledge that she truncated her statement because of time constraints but one area that she skipped over quickly was the three strains that Coillte has taken clones of and perhaps she could elaborate on the company's plans in that regard as well.

Ms Imelda Hurley: I will take the broad questions relating to licensing and Mr. Carlin will answer the questions on ash, elm and the farm partnerships as well as anything else, in the round. In overall terms, we have 16% of the timber that we need licensed for next year. We need 2.3 million cu. m licensed by the end of the year to carry on our operations in what we would consider a normal way. That requires a tripling of the licenses that are being issued by the Department, and resources are a critical part of achieving this. As to whether further legislation is required, we are in a very acute stage of this crisis. We have very little timber remaining for this year. Having been through the legislative change and having followed the passage of the recent Forestry (Miscellaneous Provisions) Act, frankly we do not have time for legislation now. What we need is licensed timber. We must focus on the current process to achieve that. I can only comment from the outside but based on the volume of licences that we are getting, resources are needed if we are to triple the number being issued. In time, and to have a vibrant forestry sector going forward, a regulatory review is necessary and that may result in the need for legislative change.

I will comment on the dashboard and the licences. The licences that we have had in the past number of weeks are for commercial timber. They now need to work through the 28-day period before they are available, as such, and they can, of course, be appealed. Regarding the number of appeals, we have 700,00 cu. m of timber tied up at the moment in the forestry appeals committee, FAC. That is why I made reference in my opening statement to the importance of the FAC hearing appeals at the pace that is needed. From Coillte's point of view, we must be realistic at this stage. We have 54 appeals listed for the month of November and 24 for the month of December. We have 223 appeals overall that need to work through the system at the moment. Ideally we need those appeals to be heard in this quarter to enable us to maintain volumes for our customers and work for our contractors but we have to be realistic now in terms of where we are. We need the backlog of appeals to be heard to free up that 700,000 cu. m of timber. That needs to be done by the end of January, which will require a very significant uplift, almost tripling what we are currently experiencing. Long term, the industry needs a turnaround timeframe of some certainty. Coillte suggests that a two-month timeframe is reasonable and one around which we could all plan.

Coillte Nature is an important not-for-profit vehicle that is very focused on projects to restore and rehabilitate parts of our estate as well as to create new forests. Coillte Nature is only one part of that work. Coillte recognises the ambitions of the State in terms of the much-needed 8,000 ha of forest as a response to climate change and wants to play its part, not just through Coillte Nature but across the broader Coillte business. I will hand over to Mr. Carlin now who will answer the other questions posed.

Mr. Mark Carlin: I might start on the questions about ash and will take them in the round. A question was asked about the scientific appraisal and I will provide some background information on what we are trying to do to restore ash. We have identified two hundred clones from around Europe and three of those provenances are from Ireland. They have been planted out in Castlemorris, County Kilkenny. In total, there are 600 clones planted there now. They were planted in April this year. We chose that site because it is a hotspot, unfortunately, for ash dieback so it is a very good testing ground for these provenances. Early indications are very positive. It is still early but ash dieback usually has an impact on juvenile trees so thus far, the situation is very positive. We will continue to increase this clonal bank with a view to planting many more of those clones. We will then try to develop seed orchards from this and get back into planting ash broadly in our forests again. The news is positive. Ash is an extremely important species not only for Coillte but for society, particularly from a hurley ash point of view. It is extremely important from a biodiversity and social point of view that we get back to planting ash again and that is what we are striving towards.

The scheme itself is not relevant to Coillte but I am aware of it. It is more relevant to our farm partners than it is to our own estate. In terms of our estate, approximately 60% of our ash is impacted. We have cleared out the worst impacted sites and we are carrying out heavy thinning on the less impacted sites. Ash responds well to heavy thinning and it seems to slow down the rate of spread of the disease. My understanding of the scheme is that it is better than the one that preceded it. It looks at the extent of damage and tries to apply the right mitigation, depending on the level of damage. That is the right approach to take, rather than just clearing everything out. It is more nuanced now and I hope the scheme will be more relevant to what we need to try to do.

There were a number of questions about our farm partners, one of which was about seeking resolution and the other was about arbitration. On the issue of resolution, we have tried very hard to resolve disputes before they get into arbitration. While I cannot speak about specific legal cases, it is worth bearing in mind, from the point of view of numbers, that nine partners have sought arbitration. Two cases are advanced and seven less so and we are doing everything we can to get them resolved as quickly as possible. I am sure members will understand that they are in a legal process over which we do not have control. We are meeting all of the deadlines that we have to meet and providing all of the information required. We want to get this straightened out as much as our partners do. Clearly, we would rather not be in this position with these nine partners and we are working with all of our partners to try to improve on issues that were identified a couple of years ago, mainly around communications and commercial statements. We have tried very hard recently to improve our communications with all of our partners in an effort to avoid unnecessary arbitration in which neither party wants to get involved.

There was one other question on felling licences and Natura impact statements, NIS, from Deputy Fitzmaurice. All of our applications for felling and road permits and for afforestation are screened for appropriate assessment. For those that have been screened, we are preparing a detailed ecology report and an NIS to support each of those applications. They are being

submitted to the Department along with the application. We hope this will help to speed up the process. I think I have answered all of the outstanding questions.

Chairman: There is a long list of speakers who want to get in and we are already halfway through our allocated time. I ask members and witnesses to keep their questions and answers brief.

Senator Paul Daly: I understand the time constraints so I will be as brief as possible. I thank Ms Hurley and Mr. Carlin for the presentation. Following on from the point made by the Chairman regarding just 16% of the timber needed for 2021 being currently licensed, I ask the witnesses to elaborate on that point with regard to afforestation licensing. What percentage of planting is required for next year and what percentage of licensing in that regard is currently available? How many licences are outstanding and what is the delay in this regard? How do the witnesses believe this is affecting Coillte's role in achieving the target of 8,000 ha per annum set out in the programme for Government?

The witnesses made a brief presentation this morning, but their written submission refers to the Mackinnon report. I would like their opinion on how this could or would solve some of the issues, the timeline for its implementation and its effectiveness in solving some of the problems they have highlighted. On ash dieback, when does a native Irish species stop being a native Irish species if we are cloning with seedlings from other countries? What potential difficulties could arise with imported species of a same brand in the Irish climate going forward? There may be issues similar to ash dieback which may affect a tree being grown in Ireland but being cloned from what is not its natural environment.

Senator Tim Lombard: Senator Daly picked up most of the points I was going to raise. I would like the witnesses to elaborate on the level of confidence in the industry with regard to planting. We have seen a huge issue with regard to seedlings or plants being destroyed, particularly this year, because of a lack of actual planting in the industry. The knock-on effect of this over the next few years will be horrendous. I ask the witnesses to elaborate on where they think the programme is going, what needs to happen, what steps need to be taken to build confidence in the sector and the hectares that have been planted. My understanding is roughly 2,000 ha have been planted, which is a fraction of where we need to be. What steps need to be taken to make sure we reach the target in respect of which we are already 90% off?

Deputy Paul Kehoe: I thank the witnesses for being here. Ms Hurley referred in her opening statement to a "crisis in the sector". I presume she has used that phrase in her engagement with the officials from the Department of Agriculture, Food and the Marine. What was the Department's response in that regard? Has it acknowledged there is a crisis or has it sought to defend its own position? Does Ms Hurley believe the Mackinnon report will address some of the crises she mentioned?

Ms Hurley also spoke about the sawmills being under pressure to have native Irish timber at their disposal. Some sawmills are importing timber from as far away as Russia. Does Coillte understand and acknowledge that people have lost confidence in this sector? Does Ms Hurley believe the forestry sector has a future under the current leadership in the Department? I refer in that regard to officials in the Department and not the Minister of State, Senator Hackett, who is only recently appointed to that role. I think she has inherited a huge problem. Questions need to be asked of the officials who have overseen this crisis over the last ten years.

Ms Imelda Hurley: On the overall question of confidence in the sector, confidence in terms

of planting and related matters, when I stand back from this I look at it in terms of where we are today. This is a sector that is incredibly important to Ireland in terms of planting trees. It is a sector that is important to local, rural economies and a sector that is so critical it was deemed an essential service during the Covid-19 lockdown in April and May. In my view, for people to have confidence to plant trees and for us to have a high level of afforestation we need people to be able to see that the system works. It has been very challenging over the course of this year because not enough licences have come through the system to allow us to keep the volumes that we need to keep in front of our customers to meet their demands. For us to move forward, it is important that the licences flow, that the appeals are heard and that Coillte has confidence that the Department will do the right thing and ensure that the resources come forward because with the resources will come licences. With the resources, I expect a higher level of appeals will be heard. From our point of view this will build confidence because we can then get back to what we as an industry do best, namely, manage forests and the produce timber needed for the roofs and floors of homes, etc. For now, that is the first piece.

I foresee a further important building block in terms of the regulatory framework that is in use today. As the forestry model and the policy for the future is developed, it is important a review of forestry regulation should be undertaken with all stakeholders. It should look at best practice across Europe and elsewhere in the world, examine what will work efficiently and identify a balanced model for forestry. That balanced model for forestry will provide the opportunity for people to have the confidence to plant trees going forward. I will pass to Mr. Carlin to respond to the remaining questions.

Mr. Mark Carlin: Senator Daly asked about the 16% of licences that are available. To be clear, what we have right now for 2021, licensed and available, is 16%. In terms of the various sources of volume, there are 700,000 cu. m in FAC under appeal, which is approximately 25% of our normal supply. There is a further 25% that is licensed, but just 16% is available. Some material is licensed but unavailable for various reasons. It could need a road permit or there could be other restrictions on it. It is important that our entire annual basket of timber is licensed at the end of the year so that we can bring a full supply to our customers and the saw-mills and restore equilibrium to the market. The remaining 50% is to be licensed by the end of the year so members will note the challenge ahead.

The major operations for which we need afforestation licences are felling, thinning and road construction. There are some, but not many, afforestation licences held up in the system. Our reforestation programme is essentially wrapped up in the felling licence and the licence for harvesting.

The question on ash dieback is certainly an interesting one with regard to clones. We would rather use native Irish stock and we are trying to do that. We have identified three provenances here in Ireland with which we are working and will continue to do so. Our options are limited because ash dieback has been so devastating to our ash here in Ireland and we are, of course, also looking across Europe. The most important aspect of this is to get ash provenances that are resilient to ash dieback. We will then have to bring in a good variety of provenances to see which respond to Irish conditions and grow best. We need to keep our options open. The number one target has to be to deal with the ash dieback situation.

Turning to the Mackinnon report, I spent a lot of with Mr. Jim Mackinnon when he was in Ireland and reviewing afforestation here. He is an extremely knowledgeable person. He spoke to the stakeholders of the entire industry and the report is good and comprehensive. I know we are tight on time but I will draw out a couple of recommendations I think are key. The first

is about land and land availability. We have to tackle that problem and have a good land use strategy for the country for what we should be doing with our land. Second, we need a strategy for forestry, going forward. We must look forward in terms of the balance and what we want to do with land for forests and what we want from our forests. Allied to that strategy is a good forestry policy for the next programme which needs to be enshrined in effective regulation. That is certainly one of the things that is impacting on confidence at the moment. It is hard to say that one is going to invest in forestry over 30 or 40 years while not being entirely sure what one is going to get at the other end. Bringing greater confidence through smart regulation would be a big benefit.

I think I have dealt with the majority of the questions. I will respond to the question about the Department and what it is saying to us about the crisis. We are engaged on a daily and weekly basis with the senior officials in the Department. They are clear on the numbers. We have a clear dashboard in terms of what we need from licences and roads and what the current supply shortages are with our customers and sawmills. The Department is certainly getting full communication from us on exactly what supply we have and what we need.

Chairman: Seven people are looking to contribute and we are very tight on time.

Deputy Martin Browne: I thank our guests for their presentation. Ms Hurley said that Coillte's annual harvest programme must be fully licensed by the end of this year but that only 16% of its timber is licensed and available for next year and 2.3 million cu. m of additional material need to be licensed. Does she honestly believe that is going to happen before the end of the year? If the licensing system continues for the rest of the year at its present pace, what will be the impact on the sector and how many jobs will be lost? Is there a difference between how the Natura impact statements are prepared for Coillte applications and for private applications?

Our guests have also spoken about trials of ash strains that are resistant to dieback. From what we have heard here over the past couple of weeks, resistant schemes may be realised in the future but the presentation today gave the impression that we are further along to line towards getting those strains. Where are we with the ash dieback resistant strains? Will our guests also tell me what other measures are being taken to ensure the continuing existence of our native ash species or are we at the end of native ash?

There is a backlog of 2,056 tree-felling licences at the minute, which equates to 7.1 million tonnes of timber. Many of the problems would be solved if people in the Department got their fingers out and started looking after the backlog of licences.

Deputy Michael Healy-Rae: I will be brief because I have other questions for later in the session. Coillte, because it is so big, is probably being more adversely affected by Covid-19 than our ordinary rank and file farmers, investors and people who just want to grow trees, get on and get them processed. At the moment, there are 20 million plants available in one nursery, as our guests know, and another 10 million, which amounts to 30 million plants available for use in Ireland right now. The Department is not engaging with the suppliers of those plants at all. Scotland is in contact with our nurseries and is looking to take those 30 million plants. It is great to have an airing, such as this, to debate the whole matter in an honest and straightforward fashion. What does Coillte think of that type of a situation? Our guests, in the positions that they hold, certainly have much to say about the way the whole system is being run into the ground. That is what is happening at present. Our forestry sector is being run into the ground. It is not the fault of our guests but by their attendance today, we are looking on them as allies to support us in saying this has to stop and change. Scotland is looking to buy 30 million plants

because it knows they are there and our people, who are charged with the issuing of licences and the people in the Department, are not being proactive or workpersonlike enough to deal with the problems that we have. What would be the view of our guests? I have many questions to ask later on and I would like to come back in, but I wanted to ask that one question to get an overview of Coillte's feelings on that aspect of where we are going.

Deputy Éamon Ó Cuív: I thank our guests for their presentations. I have had a long connection with Coillte, first in the sawmilling business and subsequently with rural recreation. I have to say that Coillte has, basically, done a good job on both sides. My questions are specific. How many applications has Coillte in with the Department at present, by number and volume? In other words, is Coillte ready and the hold-up is in the Department in the first place? Perhaps our guests could give us some idea of the percentage of timber being milled at present in the country that is coming from outside the island of Ireland? If they can give me the percentage that is coming from within the island, we can subtract that from 100. Can they also confirm that Coillte is held up for over 500,000 m worth of road licences? In other words, not only is Coillte waiting for felling licences but is also waiting for road licences.

Is it of concern to our guests that of the amount of timber that has exited that something like 20% has been appealed in recent times before the end of the cooling-off period? If that rate of attrition were to continue, what effect would it have? There are longer-term issues but the house is on fire and burning down. People in this important industry are going to be let go on the felling and milling sides. The most urgent thing we have to do is to make sure that the mills stay open and the industry survives. Would I be right in thinking that the market for sawn timber, finished product, is very strong and Covid has helped because the DIY business has taken off strongly, particularly in our neighbouring island? At the moment, despite all the worries about Brexit, selling is not the problem for that part of the industry. Their number one concern is getting timber.

Ms Imelda Hurley: Mr. Carlin will pick up the questions about ash, Natura impact statements, the specific detail on the volumes and numbers of applications that we have outstanding and anything else, in the round, that he chooses to pick up on.

In overall terms, it is absolutely correct to say that the market for timber is very strong just now. We have worked very hard on that and will continue to do so. We are doing everything we can to keep the timber supply chain across Ireland open. We normally supply 75% of the timber, so when we are short of licences, it has a serious impact. It is really difficult when we do not have enough timber to supply our customers. It is really difficult when we have contractors and we know of contractors who do not have work because their machines are parked so it is a very difficult situation.

In respect of the question on increasing the volume of licences to get us licensed by the end of the year - the 2.3 million cu. m, the importance of this is that it would allow us to have a form of normal operations - not a perfect but a form of normal operations - going into 2021. It would allow us to have an annual contract event with our customers, which is a normal event we have every October to contract volume, and to plan for some normal timber auctions over the course of next year. The challenge if the volumes did not increase would be around the fact that we would continue as we are in the current crisis through 2021 because the volumes have become so low. The level of volume that is coming through means that it would be more about continuing to operate on a very short-term basis, which brings real challenges in terms of an industry having confidence and, ultimately, our customers being comfortable that they can contract with their customers.

In terms of the millions of plants that may not be destined for Scotland, we recognise that the level of afforestation that will be achieved this year will be nowhere near what it needs to be. The situation is really difficult where this level of plants have been grown and are ready but there is no place they can ultimately go. Coillte sees this as an industry issue. Yes, we have a very large challenge because we are such a large operator but this is an industry challenge and it is important there is confidence across the industry. I have been in the business for a year. I have spent a year working really hard on this. Many things have evolved and developed over the year. Now there is clarity about what needs to be done to make an application, what needs to be submitted, a Natura impact statement, NIS, etc. This is where I go back to putting the resources in place to ensure the volume of licences comes through, the licences are felling, road and afforestation licences and appeals are heard.

There have been a varying level of appeals over the year. The number has been higher in some months. In respect of assuming a rate of 20% continues, we have a system that allows people to appeal. What we need is a forestry appeals committee that turns appeals around within a two-month timeframe. Our job in Coillte and the job of the broader industry is to plan for enough time for licensing so we need to know how long it takes and have enough time for appeals to go through. We need to make applications as early as is required.

Mr. Mark Carlin: The number of felling licence applications is around 750, which accounts for 2.3 million cu. m of timber. We have 311 road permit applications, which account for 760,000 cu. m of timber. We have more than 200 appeals, which is 700,000 cu. m of timber. There is plenty of supply in the system and we will continue to bring that supply through as quickly as we can. On whether we can get this licensed fully by the end of the year, to do this, we need to triple the current rate. It is possible because we are providing good-quality NIS information that should be capable of being processed very quickly but there is a need to significantly improve the run rate.

I would say four things about the impact. The first is that supply is very tight. It is critical. We are on a week-to-week basis at the moment. This is affecting our ability to sell timber. We have had to cancel our annual contract event and are unable to confirm when our next timber auction will be. This means the sawmills are in a very difficult position in terms of their own productivity and are looking at how they can balance supply and potentially take a reduction in some of their shifts. Again, I am aware that some harvesting contractors are parked because of work availability. The markets in the UK and Europe are very buoyant. This, unfortunately, is having an impact on the confidence in Irish supply. We could be taking more market share in the UK because the demand is so high.

Deputy Éamon Ó Cuív: Have the witnesses any idea what percentage of timber is being sourced outside the island of Ireland and what percentage comes from inside? How much are we importing from Scotland and Russia?

Mr. Mark Carlin: In terms of log imports, it is usually in and around 250,000 cu. m or 300,000 cu. m so this will be very difficult to increase. One could say that this is in and around 10% to 15%. It will be impossible to increase that much more because the demand in Europe and the UK is very high so it is very difficult to import from Scotland. We will not be able to import our way out of this problem. There is a little bit more. Unfortunately, we have to look at importing in terms of some pulp wood for our medium density fibreboard, MDF, and SmartPly oriented strand board, OSB, plants but it is a very hot market out there for us and our customers for the sawmills to be able to import so it will be very difficult to do that.

Deputy Martin Browne: What steps are they taking with native ash?

Chairman: Deputy Martin Browne said his question was not answered so I ask Mr. Carlin to reply to him in writing because the Minister of State is due in at 5 p.m. and four other speakers wish to ask questions. I ask these members to put their questions briefly and that Coillte respond to them in writing.

Deputy Danny Healy-Rae: I very much appreciate the witnesses appearing before us today. Coillte is a very reputable company and has carried out its work to the highest standards over the years. I know that because I worked and still work for it. I wish to declare that.

This is a very serious matter. This country does not have gold, diamonds or oil but we have a product - timber - that we cannot access and we cannot get licences. On my list today is one man in my constituency who applied for a licence seven years ago. He reared a large family and is looking for a licence to cut his timber. He has been waiting for seven years. There were several others going back to 2017, 2018 and 2019. Serious questions need to be asked of senior management in the Department.

Chairman: Representatives from the Department will appear before us in a few minutes so does the Deputy has a specific question for Coillte? The Minister of State and her officials will appear before us in a few minutes.

Deputy Danny Healy-Rae: The figure of 16% regarding licences put in place for next year tells me that 84% of licences are still outstanding. Roads for timber that has already been licensed constitute another issue. How much of that timber is licensed and waiting for road permits? Are some of the licences for the 16% waiting for roads as well? Does that mean we are waiting for that timber as well, and will be waiting? This is practically the end of November and 2021 is less than four working weeks away. It will not have all those licences - 84% of them. Not to mind all the independent farmers, I would like to ask Coillte what is the thinking on that. We do not have the figures but we know the number of people who are writing to us and phoning us asking us to help them to get licences. Coillte is here. Surely it is the biggest operator in the timber industry, but there are many private companies with large tracts of land and farmers and individual property owners waiting for licences. Does Coillte honestly think it will get the other 84% licensed in the next four weeks?

Deputy Sean Sherlock: I thank the Chair. I appreciate him facilitating me and I will be brief. The rate of afforestation in the county of Cork has gone from a high of 14% per annum down to somewhere around 4%. I would like to hear from Coillte, perhaps not now but in writing, how it will address that massive decline. Munster is seeing a collapse in planting, relative to other parts of the country. I would be grateful to receive correspondence in respect of the corporate strategy to address that issue.

On a similar vein, we are now seeing the increased use by citizens of Coillte estates for leisure purposes. Covid has highlighted the importance of forestry. To be fair to Coillte, it has done a tremendous job in terms of opening up its estates and making them as user-friendly as possible. If we are talking about afforestation and moving away from sitka spruce, it would be greatly welcome if there was a strategy and policy for areas, such as those in my own area in north Cork, including Rahan, the Ballyhouras, the Nagles and the Knockarowra mountain outside of Mallow, where we were seeing piecemeal improvements in terms of road infrastructure, pathways infrastructure and mixed-use forestry, so that families can benefit and submerge themselves more in forestry from a leisure point of view.

I thank the Chair for letting me in. I realise he is under pressure of time. I would be delighted if somebody from Coillte could engage with me, maybe offline, on these issues.

Senator Lynn Boylan: I thank the Chair and Coillte for its presentations. Before I ask a question, I remind members of the committee about their face coverings and that visors are not exactly appropriate for the health and safety of those of us who are here and the employees.

Why does Coillte appear to be so optimistic about the processing of licences by the forestry appeals committee given that the experience of recent weeks has shown that the issue seems to be with the quality of the decisions that are being made by the Department? If one looks at the week of 6 November, five out of five of the appeals decided had to be remitted back to the Department. In the week of the 30 October, nine out of ten appeals were sent back. In the week of the 23 October, four out of nine of the appeals had to be remitted. Surely the issue is with the quality of the decision being taken at the Department. Why would Coillte be optimistic that the backlog can be dealt with? Also, does Coillte apply the same standards of diversity as those in the private sector, such as having 15% broadleaf in each individual plantation, given that Coillte should be the standard bearer on biodiversity when it comes to forestry?

Chairman: Deputy Nolan might be brief as well.

Deputy Carol Nolan: I have one quick question because I know the Chair is under pressure with this session. In terms of the timelines, there are terrible delays. It is causing considerable frustration to the industry and to landowners who are also tied up in this debacle. What is the appropriate timeline that a licence should be issued in? Has Coillte any thoughts on that? Being realistic, what should that timeline be?

Chairman: I ask Coillte to respond to those questions in writing to the committee.

Ms Imelda Hurley: We will do that.

Deputy Matt Carthy: Can the Chairman ask whether we could get a report on the Meenbog?

Chairman: Yes. Deputy Carthy asked a question at the start and Coillte might response to us on that as well.

I thank the Ms Hurley and Mr. Carlin for their comprehensive contribution. Only for the time constraints we are under, this exchange of views would go on much longer. The committee recognises this sector is under serious pressure. The Minister of State was due in five minutes ago and we want to make the most of the opportunity to put the questions to her and her officials. I thank Ms Hurley for her contribution and the further correspondence we will have with Coillte.

Ms Imelda Hurley: I thank the Chairman.

Sitting suspended at 5.06 p.m. and resumed at 5.11 p.m.

Chairman: Our second session will be confined to an hour's duration. We are joined by the Minister of State with responsibility for land use and biodiversity, Senator Hackett. She is welcome and I thank her for taking up our invitation. We wish her well in her brief and look forward to having a good working relationship with her. I also welcome Mr. Colm Hayes, assistant secretary for rural development, and Mr. Séamus Dunne, head of the forestry inspectorate.

I invite the Minister of State to make her opening statement.

Minister of State at the Department of Agriculture, Food and the Marine (Senator Pippa Hackett): I thank the committee for its invitation. This is my first appearance before it as Minister of State with responsibility for forestry and I welcome the opportunity to engage with the committee and answer whatever questions its members may have. It is clear that they have a keen interest in the forestry sector, which is not surprising. I share their interest, which is reflected in the programme for Government. As they will know, the programme is ambitious for the future of forestry.

Forestry is an integral part of the rural economy, and the majority of the 23,000 private forest owners are farmers. As a farmer and forest owner myself, I fully understand how well forestry can sit alongside a productive farming enterprise. Payments and grants received through the forestry programme have allowed countless farmers to diversify their farm incomes. This has had a positive effective on the rural economy. Since 1990, the State has invested some €3 billion in forestry and continues to offer generous payments to those who sign up to planting. Taken with the thousands of jobs created right across the forestry supply chain, the wider impact on the rural economy is formidable. I intend to continue with strong State supports for forestry during the lifetime of this Government.

While forestry benefits the rural economy, it also delivers other benefits to society. As committee members know better than most, tree planting is increasingly recognised as an efficient way of reducing net emissions and responding to the climate emergency. It makes a critical contribution to the agriculture and land use sectors' response to climate breakdown. Forests are not only a carbon sink but also help in preventing the erosion of soils and reducing flood risks, and they provide us with fantastic recreational spaces. These spaces have proven more valuable than ever in the current circumstances. As we all know, time spent in nature surrounded by the sounds and scents of trees can restore our mood and refresh and rejuvenate us.

Our forests are contributing to our biodiversity goals. The forest estate in Ireland is diverse, with 29% of forest cover made up of broadleaves and native woodlands. We hit a milestone this year, with the highest recorded planting of native woodlands at 450 ha. This totals more than 1.4 million individual native trees, half of which were planted by farmers. The creation and restoration of these woodlands is an important part of the forestry programme, given their historical and cultural significance.

However, forestry as a land use has become has become divisive. This is often characterised by some misunderstandings, and a priority for all of us with an interest in the sector is to ensure that any strategy is informed by facts and science. It is also essential that all stakeholders communicate directly and constructively. It is for this reason that I have established a new stakeholder forestry policy group, which will meet for the first time this Thursday. The group will help to provide input from a broad range of stakeholders on the big forestry questions as well as on short-term and longer term issues such as the development of the next forestry programme. For now, though, the focus is on the immediate priorities, in particular licensing issues.

The committee has asked me to address the ash dieback scheme, which I will turn to now. The ash tree is of historical and cultural significance to Ireland and the unfortunate effects of ash dieback have been felt in ash plantations throughout the country. As the eradication of the disease is no longer possible, we have now moved into a phase of disease management. This is the approach being followed under the new ash dieback scheme known as the reconstitution and underplanting scheme. The revised approach set out in the new scheme categorises plantations

into three groups based on plantation age and tree size. Different support options are available depending on the category. The scheme aims to promote the vigorous growth of ash through thinning to realise as much of the potential value of the crop as possible. Since its launch, almost 200 applications have been submitted and we are moving to deal with them so that forest owners will have certainty in how to manage their individual situations.

This is a valuable reconstitution scheme, one that recognises the difficulties faced by the landowners concerned and is a responsive and well-considered measure. It is important that we move to process the many applications and allow the applicants to get on with managing their plantations. Committee members may have questions about the scheme. I will be happy to answer any that arise.

The majority of trees planted in Irish forests are home grown. We are generally self-sufficient and a net exporter of forestry trees. When there is an occasional shortage of specific tree species at the end of the planting season, forestry plants are imported by forestry companies. The ash trees that were imported and were later the first trees to test positive for ash dieback disease were not inspected by the Department on arrival, as there are no input controls at member states' borders within the EU. The EU is a single market and all goods, including plants, are not generally checked on arrival into Ireland from other member states. Under European plant health legislation, there are legally based rules around the movement of plants and plant products within the EU. For example, conifer logs from the Continent are free to travel between most countries on the Continent but are not permitted to land in Ireland because we are free of most of the bark beetles that are present in those logs.

I acknowledge that there are major difficulties in the forestry sector relating to licensing. I have been engaging intensively with all relevant stakeholders on this issue and know what is happening. I am aware that the current delays in issuing licences have led to serious difficulties for people involved in the forestry industry. Everyone in this room knows that the licensing and appeals system has come under significant pressure in the past two years. This is not a situation that can be resolved immediately or through a single action. It requires many different solutions and I would like to outline to the committee the many steps that we are taking to help resolve matters.

We reached a point during the summer where close to 100% of certain licences were being appealed and the appeals system was overwhelmed. This was an unsustainable situation and why I moved quickly to introduce the Forestry (Miscellaneous Provisions) Act 2020. I acknowledge the contribution made to the Act's passage by Members of both Houses and the staff in my Department, who worked hard on it. It was concluded on 7 October and the implementing regulations were introduced immediately afterwards.

These initiatives are already having an impact. We now have four forestry appeals committees in place, up from one less than six weeks ago. The Act allows for other improvements in the appeals process in line with other planning systems, such as enabling the forestry appeals committee, FAC, to determine appeals without an oral hearing where appropriate and the introduction of reasonable fees, which I have done. Importantly, I should emphasise that the FAC is completely independent of my Department. I am confident that these changes will make the system significantly more efficient and fairer for applicants and appellants.

As the committee knows, my Department is the sole licensing authority for all afforestation, forest road and felling applications. All licences must be issued in compliance with EU and national environmental legislation, including the 1992 EU habitats directive. It is essential,

therefore, that all licences are issued in full compliance with the relevant regulations and that the integrity of the licensing process is fully upheld. Due to changes in the interpretation of environmental law, we have had to overhaul completely our appropriate assessment procedures in the past 18 months. The complexity involved in developing and resourcing a new approach to assessing these licences should not be underestimated. We now have a robust and reliable procedure in place.

These delays, however, have led to a backlog of some 1,900 files on our system for consideration. This backlog, which is a subset of our overall licensing output, is of particular concern to me and I am anxious that we resolve it as quickly as possible. We are committed in a project plan to key performance indicators for this cohort of licences that we are not meeting and we must redouble our efforts to do this. We are tackling this backlog through a dedicated project plan. A project manager is in place and a project management board is overseeing and monitoring delivery weekly. We have invested heavily in extra ecologists and now employ 16 full-time equivalent ecologists where previously we had one. Ten additional forestry inspectors have been recruited to deliver on the plan. This is already yielding progress with an increase in output month on month.

I understand that my Department is now sharing with the committee the weekly dashboard of outputs. In that, members will start to see early signs of progress with October bringing the highest output this year. We issued 12 new forestry licences every day in October and more than 300 licences for the month. Our aim is to sustain and grow this level of output. Productivity will improve further as experience grows and as we adjust and review the system to make it more effective. Additional resources will also help. We have also provided updated guidance and advice to companies on how to maximise the quality of their applications, and we are committed to working with all stakeholders to resolve this.

I assure the committee that I am very much committed to turning this situation around and believe we have the right processes and people in place to do so. Notwithstanding the current difficulties, we must look to the future. The Government is committed to the development of a new climate Bill, and forestry will be a key part of that. We have huge potential to increase our forest cover from 11% and I am determined to put in place the strategies and programmes to deliver this. There is a clear opportunity to do this as we have the second lowest forest cover in Europe. To do so will require an ambitious new national forestry programme. It will need to be transformative in nature to encourage farmer uptake and to garner societal support. I will therefore be looking for a partnership between the political system, businesses, State bodies, farmers and communities in developing a vision for forestry. We will start the discussion on this shortly and I look forward to the committee's views on that. I thank members for their attention.

Chairman: I thank the Minister of State for her presentation. Before I open to the floor for questions I will make a brief comment. This committee is extremely concerned about the forestry sector at the moment and the serious problems it has. A number of stakeholders have been here over recent weeks. There is huge anxiety about the ability of the sector to survive under the circumstances.

On the issue of ash dieback, I do not believe the response there is sufficient to answer the economic plight being undergone by the people whose operations have suffered this disease. We must be more proactive in addressing their economic plight to give them the encouragement to revitalise their plantations.

I am disappointed that there is no reference in the Minister of State's presentation to the

Mackinnon report. That is a key report in trying to sort out a number of the issues in the industry. I am disappointed that there was no reference to the report.

I know that there are detailed questions to be asked. We will take one question at a time and then the Minister of State or her officials will answer.

Deputy Paul Kehoe: I thank the Minister of State and her officials for coming into the committee. I have been in Dáil Éireann for the past 18 and a half years and I have never seen such cross-party support on this specific issue. This is a major issue for everybody right across the board.

The forestry sector totally depends on the nursery sector. They have always been there to meet all the targets set out by Government. Two years ago most nurseries would have looked at the targets the Government had set out and they would have sown the sufficient amount of seed to meet the demands of the Minister of State's Department. Now, two years later, we will see nurseries throughout the country dumping millions of trees because of inaction. This is not because of the Minister of State. She has inherited a terrible problem. I do, however, blame her officials. The blame for their inaction and the decline of the forestry sector should be put right on top of their desks.

In 2010 the forest service made a decision to restrict farmers on the percentage of marginal land they could plant. To plant 20% of marginal land a farmer had to plant 80% of good quality ground, which I believe makes very little sense. I do not know why the Department would restrict suitable land to just 20% if it can grow trees. Industry stakeholders warned about the viability of the afforestation programme at the time as a result of the decision taken and, I have to say, they have been proven absolutely 100% right. In 2016 my former colleague and Minister, Tom Hayes, commissioned the Land Availability for Afforestation report. The report concluded that the COFORD Council identified, "A significant area of land suitable for afforestation (c. 220,000 ha) exists in this usage range that is not currently in farming, and which is outside the main environmental constraint areas." I have two questions on this issue. Who made the decision in 2010? What official in the Minister of State's Department made the decision in 2010 to impose these restrictions on farmers? Why was that decision made? If the Minister of State is not able to answer, maybe she will get back to me.

Considering the alarming decline in afforestation since 2010, what efforts has the Department made to bring any of this land back into the programme, given it is suitable for afforestation as recommended in the COFORD Council report?

There are a number of other licensing issues. I do not normally do this, and I have sat in the Minister of State's position as a Minister of State for nine years. I never welcomed a Deputy or a Senator coming in and tackling my Department, but on this occasion I must say that the Department of Agriculture, Food and the Marine is presiding over and has overseen the absolute destruction of this industry.

Representatives from Coillte were before the committee earlier and they used the word "crisis". I have never in my lifetime used the word "crisis" lightly, and they do not use the word lightly. It is a crisis at the moment. Would the Minister of State agree that a person who applies for a licence should have his or her application over the line within 120 days? I would say 90 days but most of the people I have talked to about this would settle for 120 days, be the application for thinning, for forest roads or for felling. If there is an appeal against that licence application, then it is within the applicant's right that the appeal should be heard within 60 days.

I submitted a parliamentary question to the Department on 14 October. The Minister, Deputy McConalogue's, reply was that, "As the FAC is operationally independent of my Department, I cannot enquire into an individual licence." I will give the history of this. The farmer applied for a felling licence, which was granted. All of a sudden it was appealed. To this day he has not received anything in writing from the Department to say it has gone into appeal. By chance, his forester mentioned it to him. I submitted the parliamentary question on 14 October, but to date he has not heard one word from the Minister of State's Department. Two weeks ago I picked up the phone to the Department of Agriculture, Food and the Marine because of absolute utter frustration. The word we got back was we could be waiting for a year to 24 months for our appeal to be heard. That was before the extra appeals committees were set up.

I feel bad saying this, but having listened to the industry, I put it to the Minister of State very clearly that they are literally on their knees. They are looking for leadership, and I hope the Minister of State will provide the leadership. The Minister of State must get the backing and the support of the officials in her Department. I am of the view that she has not been getting that, and neither did previous Ministers. This did not land on the desks of the officials on 1 January last, it has been going on for several years. The officials should have seen these problems arising. I feel sorry for the people involved, whether they work in the sawmills, drive the trucks transporting the timber, are tree harvesters or work in the nurseries. People from all those areas have contacted my office in recent months because they have seen the industry in decline. If we are to be real about carbon credits, etc., we must get real about the problems and face up to and solve them. I am sorry for the Minister of State, and these comments are in no way aimed at her. Her officials must listen to the industry and the problems which it is facing.

Senator Pippa Hackett: Would the Chair like me to address the points he raised as well as those of Deputy Kehoe?

Chairman: Yes, please.

Senator Pippa Hackett: Concerning ash dieback, the scheme has been somewhat refreshed. We have spent more than €7 million up to now supporting farmers with ash dieback in their plantations. The new scheme has been in effect since June. We have received more than 200 applications to date, so it is not as if no one is applying for the scheme. People are applying. I refer to the support measures to remove diseased trees and to encourage the aggressive thinning of plantations. We heard in the previous session that ash responds well to vigorous thinning and that it is possible to delay the onset of dieback in other trees so they can continue to grow. I also refer to the support for the reconstitution and planting of other trees. We feel those support measures are effective at this stage, and the scheme is being engaged with by farmers on the ground.

Moving on to the Mackinnon report, we have already implemented a good deal of it in the context of aligning the appeals process, the introduction of fees for appeals and the planning process. I hope, however, to make an announcement on Thursday in that regard. I ask the committee members to watch this space and I hope they will be pleased. That is happening. If people have not read the Mackinnon report, I recommend that they do so. We hear a great deal about the report and comments relating to it get bandied about, but it is a fairly short report and is worth reading. There is a great deal in the report for those on both sides of the argument. It is not just a bible for industry. There is a great deal of fairness in the report, so I recommend that everyone read it.

In response to Deputy Kehoe's comments, I fully acknowledge the crisis the sector is in. It

is something I have inherited. I can only really speak to the four months for which I have been in office. In that time, however, I have seen the officials and staff in the Department working incredibly hard. I cannot comment on what happened before, but I have seen much hard work. A great deal has happened in those four months in respect of the legislation and hiring more people to help with the licensing process. That is something and there have been improvements. As I indicated in my opening statement, in October we issued more felling licences than in the entirety of the previous 12 months. We must keep working on that, and if we need more resources in that regard, which I think we do, we will continue to push resources in that direction. If we need to hire more ecologists, we will hire more ecologists. If we need more forest inspectors, we will ensure that happens.

That is all I can say for now. We will endeavour to get through the backlog as quickly as possible, but there is no silver bullet here. There is no one thing that will fix all these problems in a couple of months. There is a backlog and we must deal with it. We must also apply due process to the backlog in the outstanding appeals. It is important that we do it right, but I have confidence that the system works now. The issue is getting through the backlog, and I realise that is what is driving the crisis. I am working really hard with my officials, whom I know are also working hard, to deliver on this, because nobody is happy with the situation.

Deputy Paul Kehoe: I ask the Minister of State to comment on the marginal land issue, please.

Senator Pippa Hackett: I will look at that issue. Just off the top of my head-----

Deputy Paul Kehoe: I understand.

Senator Pippa Hackett: -----my impression regarding planting on marginal land is that there are concerns in respect of planting on peat. There is a need to drain and plant. On the whole, it may not deliver a brilliant crop of trees while it also emits carbon. That is problematic. I will get the details for the Deputy.

Deputy Paul Kehoe: I also refer to the general policy aspect.

Senator Pippa Hackett: Deputy Kehoe is referring to where the policy came from. I can do that.

Deputy Michael Fitzmaurice: I welcome the Minister of State. My questions are more for the officials. I would like Mr. Hayes or Mr. Dunne to answer them. They are quick-fire questions, because many people wish to talk. I do not want essays, I just want quick answers. My understanding is that 200 applications have been made in respect of RUS. Why has there not been an acknowledgement to one person?

Mr. Colm Hayes: I was not aware of that. We are in the process of processing those-----

Deputy Michael Fitzmaurice: There has been no acknowledgement.

Mr. Colm Hayes: I was not aware that was the case.

Deputy Michael Fitzmaurice: That is fine. Is there a problem with the Department's integrated forestry information system? My understanding from the Department is that there is an IT problem with that system.

Mr. Colm Hayes: Any time a new scheme is introduced, it is necessary to build the IT sys-

tem to go with it. We have many schemes, we process 3,000 to 4,000 applications every year and, obviously, all the environmental regulations bring additional IT requirements as well. We got the scheme out there quickly because-----

Deputy Michael Fitzmaurice: I just want to try to move on with my questions. Is there or is there not a problem? Has the IT system been built?

Mr. Colm Hayes: It is built, and I understand people should start to hear from us in the next few weeks regarding those 200 applications.

Deputy Michael Fitzmaurice: That is fine. What qualification is required to do a screening of a forestry licence application? Is it necessary to have a degree in ecology?

Mr. Colm Hayes: The forestry inspectors are trained to make a preliminary screening.

Deputy Michael Fitzmaurice: If it is within 15 km of a special area of conservation, are they trained?

Mr. Colm Hayes: They are trained to-----

Deputy Michael Fitzmaurice: It is not necessary to have an ecology degree.

Mr. Colm Hayes: -----do a preliminary screening. To do the follow-on work in respect of the screening-----

Deputy Michael Fitzmaurice: Does someone need an ecology degree in order to screen in or screen out?

Mr. Colm Hayes: The forestry inspectors are trained to screen in or screen out.

Deputy Michael Fitzmaurice: Lovely. Have Mr. Hayes or his management team heard that forestry inspectors have said to senior management that they do not want to carry out screening or licence application processes? Is there any problem in the Department?

Mr. Colm Hayes: I am not aware of any issue on that.

Deputy Michael Fitzmaurice: Returning to the documents we were sent by the Department - they are very helpful, as is the dashboard - the COFORD Council report in 2018 stated that 3.2 million cu. m of timber was harvested in the Republic. On the island in total, there was processing of some 4.9 million cu. m. That is the COFORD Council report, so I obviously believe it. On the Department's dashboard, it is stated that 13,972 ha of felling licences were issued. In fairness, that was done out as 3.8 million cu. m of timber. In 2019, there were some 57,195 ha. The Department did not calculate the cubic metres in this regard - I did it myself - but it comes out at 15.5 million cu. m. Going on the basis of what the Department put on the dashboard, this means that in 2019 and 2020 there were 19.3 million cu. m of timber. We are using 5 million cu. m of timber a year. That is 10 million cu. m maximum even if we did not import anything, which we do. In October, the Department stated that felling licences had been issued for 761,213 cu. m. I have looked at the number of appeals for 2019 and 2020. Those appeals related to 7,313 ha in the context of licensing and 417 licences. Where is the timber?

Mr. Colm Hayes: A felling licence can have a duration of up to ten years, the purpose of which is to give maximum flexibility to the licence holder. It is not like bringing cattle to the factory because the trees will still be standing. There is a desire, I am sure, to make the best use

of the price when the licence is obtained, so a holder might decide to hold off for six months, a year or two years. What we issue in the dashboard are the output figures for the Department in respect of licensing. We do not make any predictions regarding when that timber will be harvested. It is very likely that the timber for which we issue licences this year may not be harvested for three or four years.

Deputy Michael Fitzmaurice: The statement from the Minister of State referred to 761,213 cu. m having been licensed in October. That timber is not available, obviously. The guts of 20 million cu. m over two years, if we go by the Department, has been put on the dashboard. That is there. Where is the timber? Why is there a shortage if the Department states that there is all this licensing?

Mr. Colm Hayes: There are a range of factors regarding how and when the timber may come to market. Price is obviously a key factor. As I said, however, we do not make any predictions in terms of when the timber will come to market. It is very likely that timber being harvested at some point this year was licensed two years ago, and it is the same with what we licence now. It may also come to the market in two years' time. Our focus is entirely on licensed output. It is really up to the licence holder.

Deputy Michael Fitzmaurice: The focus is not on cubic metres of timber ready for cutting.

Mr. Colm Hayes: It is, once the 28-day appeal window has passed.

Deputy Michael Fitzmaurice: Why would they wait two years or five years? Is thinning included?

Mr. Colm Hayes: Thinning is included.

Deputy Michael Fitzmaurice: Do we have a breakdown comparing volumes of thinning timber and felling timber?

Mr. Colm Hayes: Yes.

Deputy Michael Fitzmaurice: We did not get that on the dashboard.

Mr. Colm Hayes: Every Monday, Wednesday and Friday, we issue the felling licences that have been granted by the Department that week. Whether a licence is for thinning, felling or a combination of the two is clearly stated. We use a methodology to arrive at the volume figures. The methodology is known to the sector and the process is transparent.

Deputy Michael Fitzmaurice: As for the methodology, the whole system is in crisis.

Mr. Colm Hayes: We accept that there is a crisis. There is no question about it. The Minister has been very clear on that. However, we absolutely stand over the reliability of the figures.

Deputy Michael Fitzmaurice: I do not know how the witness can say that when thinning is included. A hectare of thinning is totally different to a hectare of felling timber at 30 years.

Mr. Colm Hayes: I fully agree. That is why we use two very different figures to arrive at the volume output. We use a figure of 70 cu. m per ha for thinning and 330 cu. m per ha for clearfelling. If anything we err on the conservative side because where land is used for multiple thinnings or for thinning and clearfelling, we only use one figure.

Deputy Michael Fitzmaurice: I want to move on. How many licences are stuck in the

Department's system at the moment?

Mr. Colm Hayes: About 1,900.

Deputy Michael Fitzmaurice: When I extrapolated from the Department's figures in the last few days I worked out that 3,916 applications have been stuck with the Department since 2017. That includes 2,056 licences for felling and 1,022 for planting over an area of 9,369 ha. There were also outstanding applications for 738 ha of forest road, which corresponds to 300 km. One has to go through quite a bit of hassle to collate that information from different systems. That is what I came up with. Where is the difference with Mr. Hayes' number?

Mr. Colm Hayes: I would have to examine those figures in more detail.

Deputy Michael Fitzmaurice: We have worked it out. I got the industry to calculate it. Why is the Department saying there are 1,900 licences when we have calculated that more than twice that number are stuck in the Department? I have the figures here. We can give Mr. Hayes a copy of them. He does not seem to know where we are.

Mr. Colm Hayes: If the Deputy is including two years-----

Deputy Michael Fitzmaurice: I refer to the period from 2017 to now.

Mr. Colm Hayes: A lot of those licences would have been issued in that time.

Deputy Michael Fitzmaurice: I am talking about applications that are stuck in the Department.

Mr. Colm Hayes: If the Deputy does not mind I would like to look at his figure and getting back to him in response.

Deputy Michael Fitzmaurice: Very well. The planting target for Ireland for the four-year period from 2017 to 2020 was 31,140 ha. To date the Department has licensed the planting of 15,109 ha. That is less than 50% of the target. There is a shortfall of 15,000 ha. We have climate targets. Farmers are being kicked around because of cows. This system has failed over several years. I wish the Minister of State the best of luck, but with due respect to her, I do not buy what has been said about the habitats directive. That directive was in force in 2011. The Department has had the period since then to dot the "i"s and cross the "t"s. There is no point in putting something in place in 2018 or 2019, when the horse has bolted. This problem was already here. I am not blaming the Minister of State but the Department she supervises has not addressed the issue. We have to plant 8,000 ha in 2021. How can we even hope to achieve that? I have tallied the figures. We would have to issue about 8,500 licences a year. We cannot cater for our needs. How does the Department intend to address this?

Senator Pippa Hackett: Is the Deputy asking how we will meet our targets?

Deputy Michael Fitzmaurice: We are behind by 15,000 ha. Does the Minister of State have faith in this Department? Personnel have been in place looking at this for ten years. The habitats directive was introduced in 2011. It is there for everyone to see. Departments were told about it. I was not even in politics at the time and I knew about the 15 km rule. This Department watched over this. This is a mess and 12,000 jobs are at stake. I like what the Minister of State said in her submission but it was aspirational. She spoke about the future but did not address where we are now. We are in a crisis. What are we doing to solve this? With the figures the Minister of State has seen, does she not think she needs to bring in new people

to resolve these issues?

Senator Pippa Hackett: I can only speak for the four months I have been in office. Any time I have queried something or asked for something to be done, information has been forthcoming. The crisis has absolutely deepened in the last several months-----

Deputy Michael Fitzmaurice: The crisis is ongoing.

Senator Pippa Hackett: Changes were made in light of decisions of the European Court of Justice that changed the way we carried out assessments.

Deputy Michael Fitzmaurice: That was because we did not do them right, even though we had ten years to look at the directive.

Senator Pippa Hackett: Whatever the reason was, we made the changes to suit what we have to do now. The system we have in place is robust, but there is a huge backlog to get through. As I said, we are working really hard to put the resources in place to get through that backlog. Whatever is required, we will do our utmost to deliver on that. At this point-----

Deputy Michael Fitzmaurice: If one starts building a house by putting in the wrong foundations, it will stay wrong.

Deputy Michael Collins: I thank the Minister of State for her attendance today. She acknowledges that there is a crisis and she has seen the interest in this issue in recent months. It has been going on for some time but is now coming to a head. This is a huge issue for farmers and foresters. It is also a huge issue for companies like GP Wood, which employs 500 people in west Cork. This firm is now forced to import timber and could have to lay off staff. The Minister of State says she has looked at many single solutions. I would like to ask several questions. I will try to make them brief and to the point, because a lot of members want to comment.

The system must ensure that no farmer has to wait more than four months for a forestry licence, irrespective of the size of the application, as set out in the Forestry Act 2014. Forest road, felling and thinning licence applications that have been in the system for more than four months should be approved automatically under an amnesty provision. Would the Minister of State consider this? She is looking for solutions. These are the real solutions that might make a difference here.

Another solution would be to amend the Forestry Act 2014 to introduce exemptions for forest road and thinning operations. These do not present a significant landscape change. They present a low level of environmental risk. I also call for the introduction of a cost-based planning support grant, as referenced in the Mackinnon report, to assist with increased costs and the requirements associated with applying for licences. Finally, an independent project manager should be appointed within the Department to implement the operational changes recommended in the Mackinnon report and develop an appropriate and effective licensing system. Can the Minister of State adopt some of those solutions? We have to consider an amnesty if we hope to alleviate the present crisis.

Senator Pippa Hackett: I thank the Deputy. Several people have suggested such an amnesty, with a licence granted automatically if an application has not been processed in a certain period. That would be illegal and deeply unjust to the process. Unfortunately it cannot be done. The Deputy referred to exemptions for thinning and forest roads. This would depend on where the forest road goes. That is why there is a licensing process. The same applies to thinning.

Thinning a commercial forest can have an impact on the environment. That is why a licensing regime is necessary.

I have indicated that I intend to make an announcement on the Mackinnon report. I hope to name an independent chair in a matter of days. We will work through the recommendations of the Mackinnon report. I hope to work closely with the chair to decide on the best way to implement the report. There are a lot of good points in it. I look forward to that.

Deputy Brian Leddin: I thank the Minister of State for her statement and for appearing before the committee. I would like to thank her for all she has done in recent months. Knowing her, I can say that nobody is more passionate about resolving the crisis in forestry. As a forester, the Minister of State is passionate about the sector. As an environmentalist, she is also passionate about setting policy that will chart a better way forward. That should be acknowledged.

The Minister of State referred to future policy in this area. She should have an opportunity to elaborate on that. She mentioned the national forestry programme. Will she inform members of her thoughts on that as that would be beneficial for the committee?

On research available to the Department, up to this point research has generally been directed at maximising output and increment, which has been for very good reasons, but we are in the midst of a climate and biodiversity crisis. Research should be focused in that direction. Does the Minister of State have the necessary resources in her Department or does she intend putting the resources in place to ensure we have the right research in order that we can set policy in the right direction?

Senator Pippa Hackett: I thank the Deputy for his nice comments. I am not quite a forester yet. I am still a farmer with some trees but one never knows. The commitments in the programme for Government, and I invite the committee to review them, are ambitious for forestry. We have a forestry model that really is not working for everyone in this country. Currently, it is not working for anyone but it is important that whatever we do from now on aims to achieve those ambitions in the programme for Government.

I did say during the debate on the passage of the Bill through the Seanad and the Dáil that I was eager to set up a new forestry policy group. The inaugural meeting of that group will take place this Thursday. The group is made up of a broad number of stakeholders, including representatives from industry, the environment, agencies, farmers and communities. It is to be hoped that will be the start of how we move forward with this. The group has a great deal of work to do and the first stage is to get everyone engaging with it and to not polarise anybody, which could quite easily happen. I have seen it happen in other groups. Sometimes when we get farmers and environmentalists into a room, unless there is some decent structure to the meeting, it does not last long. I hope to avoid such an occurrence.

I also made a commitment during the debate on the forestry Bill to improve public participation. I referred to a new online forestry view or portal of which I have had the privilege of having a sneak preview. That will be available within the next two weeks. It will open up the public participation element not only for people who want to see where work forestry plans are going but for people to make submissions through it and for applicants to see how their applications are progressing.

On the research we might need as we move forward, I hope the forestry policy group will help in that respect and give direction to me and the Department as to where we should be go-

ing with forestry policy in this country. There are some movements and we heard from a representative of Coillte earlier about Coillte nature and that direction. We need more of that type of forestry in Ireland because it has to be appealing to communities at the end of the day. We have seen the dissatisfaction among many. Deputy Carthy referred to it on many occasions in debates he has had with me on it. I am fully aware of that. We have to bring everyone along with us. While we have a slump in forestry currently, I would like to think we can move on from this in a positive, coherent and collective way and I look forward to that.

Chairman: I will group questions from a few members as I am conscious of the time. I call Senator Daly to be followed by Deputy Carthy and Senator Lombard.

Senator Paul Daly: I will be as brief as possible. I welcome the Minister of State and congratulate her. It is brilliant to see a fellow Senator from the Upper House in a ministerial role. As she will have noted from previous contributions and our deliberations during the past week, the word “crisis” has been used and it has not been used loosely. I conscious she inherited this issue. I want her to outline some potential solutions or indicate how we will turn the corner, get this industry back on the road, save the 12,000 jobs that are at stake and meet the programme for Government afforestation target of 8,000 ha.

I was a member of the previous agriculture committee. The Minister of State’s predecessor was the former Minister of State, Andrew Doyle, and at that time the Mackinnon report was the holy grail. I was a little taken aback that it was not referenced in the Minister of State’s submission. Is that indicative of the Department’s stance on the Mackinnon report? Has it been shelved and is it gathering dust? I would have expected at least a reference to it in her submission.

Will the Minister of State consider amending the 2014 Act to alleviate the pressure on the licence applications process and introduce a forestry licence whereby when an applicant applies for an afforestation licence initially, that licence in the context of a management plan would include provision for whatever roadways might be necessary in the future and for thinning and felling licences? In other words, one licence would cover it all with a built-in workable management plan. Also, what is her view on how to restore confidence in the sector? We are talking about upping the hectares of forestry. Whatever about Coillte, the farmers we expect to buy into that have lost confidence in the sector and will not be prepared to invest in it.

I have a few brief specific questions for Mr. Hayes. I have asked this question previously and received various answers to it. Will he categorically state the length of time on average it takes to process a licence in the Department? I have heard of licence applications that have been with the Department for up to three years. I was told previously the delay was caused by an ecologist not being available to the Department. I am aware of an applicant who applied for an NIS and their licence application has been with the Department for more than two years later with no sign of it being issued. Will Mr. Hayes give a definitive specific target on the average processing time for a licence?

I also seek clarification on another matter. When an application has to be referred to other State bodies, be it the local authority, the National Parks and Wildlife Service, An Taisce or some other body, I have been told it is sent to one body, and when it replies, the application is then sent to another body. Why can an application not be referred to all State bodies at the same time if multiple bodies are involved? Common sense would dictate that the application should be referred to all those bodies at the same time as that would shorten the processing time involved, rather than having the practice of sending it to Joe today, and on receipt of a reply

from him, sending it to Pat, and on receipt of a reply from him, sending it to Billy. I would like specific answers to those questions. I would also like to hear the Minister of State's view on restoring confidence in the sector to get buy-in from potential foresters.

Deputy Matt Carthy: I thank the Minister of State for being here and for her engagement. As she mentioned, we have had a number of engagements and I must say she comes across as a very genuine and nice person. I am just not sure if the job she is in is the place for a nice person. She acknowledged forestry policy has not been working for anybody. She mentioned the industry and communities. Others mentioned sawmills and the other areas. The Minister of State said that the policy is not even working for her Department. Regardless of whether she said that, everybody else she mentioned lays the blame for the disaster that is Irish forestry at the hands of her Department. A good starting point for her would be to recognise there are systemic failures in the forestry section of the Department. That must be the starting point. If she starts anywhere else and unless corrective action is taken, mistakes will be repeated.

Will the Minister of State indicate what directions are being taken in her Department that would not be happening unless she ensured they were being taken and which her officials have been perhaps reluctant to take? That is an important point. The questions facing the sector have been well aired and I will not repeat them. However, fundamental issues within the forestry sector need to be addressed. I would welcome the Minister of State's commentary as to how she intends to address them.

We have talked about the proliferation of Sitka plantations. We had Coillte before the committee. Unfortunately, we did not have time to hear its representatives' answer to Senator Boylan's contribution. The biggest forester in the country, the State-owned body, exempts itself from diversification of forestry so it has whole-scale Sitka plantations in replanting terms. It is crazy stuff and sets all the wrong examples. We have seen the backlash and the frustration that have been caused and we have talked about this in the context of a Bill that has been brought forward by Deputy Martin Kenny, which, unfortunately, the Minister of State opposes. That was a very bad start for her. As recently as last weekend we saw landslides associated with bad decisions that were implemented in the overall forestry policy. Above all, I have in front of me a headline from *The Irish Times* that was repeated all over the world: "Irish forestry 'net emitter of greenhouse gases'." We cannot even get forestry right in respect of the provision of an environmental benefit. If that does not spell out that we are on the wrong track, I do not know what does. A forestry policy must work. It has to be farmer- and community-led. Forestry is being handed over to corporations, essentially. In counties such as Leitrim we see an effective land grab that is forcing an end to traditional family farming in that county, and we can now see that that is developing otherwise. I would like to hear again the Minister of State's proposals on ensuring that forestry is genuinely farm- and community-led, with real input and a buy-in from farmers. How will she make that happen? I am not talking about Mickey Mouse consultations. I am talking about real buy-in.

I am trying to avoid the Chairman's eye. The Minister of State mentioned on a number of occasions that she will make an announcement on Thursday. That is the absolutely typical ploy used to entrap Ministers. "Here is a set of public relations engagements for you, Minister, while we carry on and do the real business." If the Minister of State is serious about bringing forward proposals, this, the agriculture committee, is the perfect place for her to have done so. Here she is talking to the people who represent those who are at the coalface of this. Instead she is trying to give an exclusive interview to the *Irish Farmers' Journal* and getting her photo opportunity. That is messing. I urge her to get serious about this. I have no doubt but that she is genuine

about it, but she is playing with a very weak hand with the Department she has been handed.

Senator Tim Lombard: I welcome the Minister of State. I realise that the issue she is trying to deal with is very large and very complex in so many ways. Before her arrival Coillte gave a presentation which stated that it needs 2.3 million cu. m of forestry to go through the appeals process in the next seven weeks. Coillte says it has only 16% of what is required. It did not have its usual auction in October. The industry is in crisis because it does not have the ability to plan ahead. Is the Minister of State confident that the appeals process can deliver 2.3 million cu. m of forestry in the next seven weeks? If not, what does she think the plan B will be going forward? If there is a plan B, what will that mean for the industry and how will it affect the people working in sawmills, the people cutting and drawing the timber and the end user? I often say one cannot get a six-by-three to build a shed in west Cork today. It just does not exist. Four different shipments of timber are coming in from Scotland into Passage West to keep a sawmill in west Cork going. That is not sustainable. How can we ensure we have a credible industry with the current number of licences and the level of cutting?

Would the Minister of State be open to the suggestion that there be a monthly update from her office to this committee? I notice she has given the dashboard in the past four weeks, which has been in some way helpful, but more detail is required. In fairness to Mr. Hayes, he mentioned that even if one gets a licence, it could be cut over a period of time. We need more information to get a real, fact-based understanding of where the timber is, how much timber is in the system and how much timber is licensed and not cut. Issues such as those need to be looked at. The primary issue is the statement given by Coillte. That was a really significant figure. Do we have the capabilities in the next seven weeks to produce that? If not, how will the industry survive next year?

Senator Pippa Hackett: I will try to be succinct but detailed enough. I thank Senator Paul Daly for his contribution. Yes, we need to find the solutions, and that comes through engagement with those across the sector. Again, it is not just about the industry. We are in this problem because of the way the licensing process was working and the challenges it has faced in that environmental legislation has us where we are. Charging on through to get licences rushed through as quickly as possible so we have all the timber does not solve the problem. The problem is deep-seated. I agree that we have to get confidence back, not only in the sector itself and the supply chain that it supplies but also that farmers have the confidence to plant. I know their confidence has been bruised. I get plenty of calls from farmers who are waiting for their licences and wondering what is the point, and that is not good. We do not need that. There are other planting options for farmers which we probably have not teased out enough in previous policy and which might be more attractive to farmers. Those options will not only deliver an income for them but also deliver for our climate and, potentially, our biodiversity targets. There are farmers who want to plant legacy woodlands on their farms for their grandchildren. They do not all want to plant Sitka spruce or commercial forestry. Some people just want to have a nice area that they can look at, develop and grow. Other farmers might want to get into agroforestry, which has not been looked at at all in any great detail in this country. There is great scope there. There are a few examples of agroforestry around the country. One can run cattle through such land. There are trees in the fields but one still has a normal farming livelihood with it, and there are co-benefits of that. Planting along rivers and riparian margin planting are another way of supporting farmers and their farms. There are options there, and some of them will provide some of the solutions to our afforestation targets.

Somebody mentioned the Mackinnon report. It is not shelved. I thought long and hard

about the report because I knew there were concerns with it and knew there was much pressure from one side for the report but not so much from the other side. As I said, I recommend people read it thoroughly because it is quite broad in its reach. It certainly is not shelved.

To respond to Deputy Carthy, it is my policy group. I have set it up. It has not been set up for me by my Department. It is my group, I pick the people on it and they will be announced on Thursday also. It is my direction, and I hope I will bring that direction to the Department. If it has not been there in the past, I cannot speak for previous Ministers or administrations. I am “enthusiastic”, although that is not the right word because it sounds too flippant. I am determined and I want to fix this. If I set my mind on getting something fixed, I will work as hard as I can to fix it. This involves engaging with people and also with politicians because we get all the representations from all the various sectors on the ground. We simply have to fix this and bring about a confidence in the sector that we can do so. We must ensure that the 2.3 million cu. m that Coillte needs is not all stuck in appeals. Am I confident we can get all that to Coillte in seven weeks? No, probably not, but we have to signal what we can do. What is important is the confidence of knowing that we are working and that more and more is coming online. That is what we are looking at. The more we can get online and the more we have sight of more timber coming on stream, the more that is a confidence in its own right. I agree that we are importing too much at the moment. It is not sustainable.

I was not quite sure what Senator Lombard meant. On what matter would he like a monthly update? We need to get clarity on what is going through the system. We have got the dashboard in recent weeks, which has been very helpful. With no offence to the Department that is nothing more than a faint shadow of what the Department got. In a report coming to this committee it is important to inform us of the licensing process and the timber involved so we can get a complete run all the way through. If there is movement, then we are going to see the movement. It is the information that we need. We need a line of information coming directly to us. That would be very helpful, not alone for the members here, but for the industry and for the general public who want to know exactly what is happening with the level of planting, the licences being granted and what they are for. Deputy Fitzmaurice raised the issue of whether the licences are for thinnings, fen licences or roads. To a degree, all the information is there but for the next 18 months we must have that information on a regular basis.

Chairman: I call on Mr. Hayes to respond. Senator Paul Daly asked a number of specific questions.

Mr. Colm Hayes: Regarding the referrals to State bodies, obviously they should go on the same day. We aim to do it that way. I would like to think the vast majority do. There are a lot of moving parts to an individual licence, between archaeology, ecology and other matters. It is possible that between the jigs and the reels there may be individual licences where they do not all go on the same day, but the policy at least is that where more than one external body is to be consulted on a licence, that they are consulted at the same time. Sometimes applications can come back from external bodies that require further work and information as well, but the baseline policy is clear on our part.

On the average length of time for a licence, if members look at the Department’s website tomorrow morning they will see all the licences that we have issued since the start of the week. On that, they will see licences where the application came in two or three months ago but, equally, they will see licences where the application came in two years ago.

Deputy Danny Healy-Rae: And seven years ago.

Mr. Colm Hayes: That is obviously an unsustainable situation. We fully acknowledge that. As the Minister of State, Senator Hackett, indicated, the aim very much has to be to squash that range to the closest possible average. I will get the committee members an average figure but I do not have it to hand. We are very clear in terms of the policy, targets and goals, which are to drive that down and to meet the three and four-month targets.

Senator Paul Daly: Mr. Hayes is giving me the average statistic, but I am asking him what should the average time be. Mr. Hayes is the departmental official responsible for this. I do not want statistics: I can work that sum out for myself as to how long the applications took. What should the average time be?

Mr. Colm Hayes: In terms of what the average should be, we have a commitment in the farmers' charter for afforestation licences to be out in three months. The Forestry Act specifies that felling licences are to be provided in four months, but we are clearly not meeting that. We do not claim to. We are holding our hands up. There will be individual licences that meet it, but it is not the majority and it needs to be the majority. I think the reasons have been given for that. That is what we are aiming for and that is our stated goal.

Senator Lynn Boylan: I welcome the Minister of State. I will be very brief because many of the issues have been raised already about the crisis in the industry. My first question is in respect of the changes introduced by SI 417/2020, which relates to fees for access to applications, appeals and communications in respect of licences. Given that the Minister of State has confirmed today that the portal is going to go up in two weeks, why would fees be introduced for access to applications when that information will be available on the portal?

I do not know whether the Minister of State or her official will want to respond to my second question. Who gave the advice on whether the fees were compliant with Article 6 of the Aarhus Convention? We have seen the trouble caused for other Ministers where officials were interpreting the law rather than getting the advice from the Attorney General's office. Was it the Attorney General who advised that the fees were compliant with the Aarhus Convention or was it the case that the officials interpreted the convention and said that they were compliant? Why would access be charged for applications when the portal will provide the information?

Deputy Carthy mentioned the fact that the report on managed forest land in Ireland is now a net emitter of carbon. I refer to a response to a parliamentary question by the Minister for Finance, Deputy Donohoe, who cited that the reason forestry should remain tax exempt is because of the environmental sustainability from commercial occupation of woodland. How does the Minister intend to square that circle? If forestry is a net emitter of carbon but it is also getting tax breaks, that is not a very good deal for the public purse. The report that went to the Commission only deals with managed forestry. The implication is that it becomes a carbon sink if we give tax exemptions to large investment companies, as is the case in Leitrim.

Deputy Martin Browne: I welcome the Minister of State and thank her for her presentation. I wish her the best of luck in her post. The Mackinnon report suggested that the Government has not shown any great interest in forestry. The programme for Government is heavy on environmental and climate change objectives but there is a lack of attention being given to the commercial aspect of forestry. Is there a reason for that being left out? The Minister of State also referred to the programme for Government target of 8,000 ha as aspirational, when it should be achievable if the system was operating efficiently.

In terms of the financial cost of the Natura impact statement, NIS, and the need to apply

for licences, is it not possible that tree felling, afforestation and roads could all come under one licence?

I have a question for Mr. Hayes on an issue Deputy Fitzmaurice raised earlier. Could he tell us the specific number of applications that are currently in the backlog? I find it very strange that he has come to a meeting of the committee saying he does not know where the figures are that were sought by Deputy Fitzmaurice. They are on the monthly reports of the Department of Agriculture, Food and the Marine's forestry division. The current backlog is 2,056 for tree felling licences, as was stated. That equates to 7.1 million tonnes of timber, which is two years' worth of production. It would also mean that the backlog is higher than the widely publicised 2,500. The backlog for afforestation licences is 1,122, which equates to 9,400 ha. The backlog for applications for forest roads is 738, which equates to 302 km. The Department keeps telling us about 2019 figures and claps itself on the back because we are reaching quotas. If one goes back three years, 6,500 licences were issued. At this stage in 2020, the Department is only doing half what it did previously.

I have been contacted by various stakeholders in the sector and they said the inspectors are referring 80% to 90% of the applications to the ecology section, even the native woodland applications. Does that mean too many NIS reports are being requested? I have also been told that the ecology section in particular is slow. In one case, the NIS was submitted in April and nothing has yet been heard back. Could Mr. Hayes outline the problem within the ecology section, the number of staff processing the reports and how many additional staff are in place? I will leave it at that. Ash dieback was covered before.

Chairman: If it is okay with the final two speakers the Minister of State will respond in writing to them? I have six more speakers and I want them to be able to put their questions. They will have to accept the answers in writing from the Department as we will not have time to get them now.

Deputy Michael Healy-Rae: I will be as brief as I can. I thank the Minister of State, Senator Hackett, and her officials for attending and I wish her well. From people contacting me I can see that there is a sustained programme of clawing funding back from people who have planted forestry. People who planted ten or 20 years ago are receiving letters from the Department demanding repayment of funds over alleged over-claims. Does the Minister of State think it is reasonable to do that, considering that many of the reclaims are arising due to a new mapping system that is available to the Forest Service that was not available 20 years ago? As she is aware, this is causing negative publicity and stress to the farming community. Is it true that if a farmer wants to plant 5 acres of land in County Kerry and he or she is within 15 km from a specific protection area or a special area of conservation, which is the case in nearly every inch of Kerry, unless he or she spends more than €1,500 on a Natura impact statement, the application will be sitting in the ecology section of the Forestry Service for two years before a decision is made? Could the witnesses inform the committee as to the number of files in the ecology department of the forest service, and the number in archaeology department? Why can forest entrances not be treated like agricultural entrances? It is fair to say that the new single consent system is not working with regard to forest road approvals. Some councils are looking for extraordinary bonds to be put in place by forest owners prior to the commencement of work. I give the example of a council that looked for a cash bond of €240,000 before works could commence. The forest service and some councils look for sight lines which would be more in keeping with an industrial factory, rather than a forest entrance.

Take a typical application, for example. It goes from the ecology department to the archae-

ology department and then to the National Parks and Wildlife Service. Are these steps taking too long? Could these steps not run simultaneously? As has been outlined, there are some applications with the forest service for many years. In Kerry, as the witnesses know from their records, most roads being built can be dug out of clay. In other words, the material is in the ground nearby. We can dig off the bog, dig out the clay, make a road and put 804 stone on top of it. This road is perfectly suitable for purpose. I remind the Minister of State that this is how the roads were made for many years. There was no such thing as importing material. One actually went into an area. I am talking about local authority roads, not forestry roads. We dug out clay, we made roads and we put tar and chip on top of them, although for many years, there was only gravel on top of them.

I ask Mr. Hayes to address the following matter. Inspectors who are listening to me right now on their computers are going around inspecting roads. I ask these inspectors the following question. For God's sake, where is the common sense in the context of a forestry road of telling a person to dig out the bog and import 804 broken or crushed stone, where there is a depth of forestry that might be as high as this committee room, or maybe higher? First, consider the damage to the environment of going to a quarry 20 or 30 miles away to fill up lorries with stone and then to fill in a depth of this room and to cover it with 804 stone. There is no common sense in that. I am not directing this question to the Minister of State or Mr. Hayes but to the inspectors who are at home listening to me. Where is the common sense in this process? The available grant will not sustain this. Forestry roads will not be built if inspectors continue to ask people to do this.

I want to say to the Minister of State, Mr. Hayes and to other individuals who I will not name because, as the Chairman knows, I am too polite that there are people who over the past ten years have taken over roles in the forest service and that we were planting between 10,000 ha and 12,000 ha of forestry each year. This is down to 2,000 ha to 3,000 ha under their watch. I am asking those people and Mr. Hayes the following question. How can anyone in the forest service say that he or she has done a good job if he or she has seen us go from a high figure to a low one. They have run it into the ground. The Minister of State knows I am not blaming her.

Our adorable foresters, many of whom are old and for whom I worked for years, are at home watching this committee. They are ashamed at where we are today. The Minister of State said a while ago that officials are not happy with the situation. I disagree with her. I would say there are officials in her Department who are extremely happy because they have driven us to where we are today. They put us here through gobbledegook and nonsense. Mr. Hayes said, "We hold our hands up" and "We are where we are." They would want to be holding their hands and their legs up. Many people would want to hang their heads in shame as a result of what they have done. There are people, who know who they are, who have brought us to where we are today and it cannot be allowed to continue. We will not allow it to continue.

Deputy Sean Sherlock: I appreciate the opportunity to make an intervention. I welcome the Minister of State and her statement. I concur with other speakers on the lack of reference to the Mackinnon report. However, I acknowledge the Minister of State has held up the report and recommended we all read it. I have read it, and it makes interesting findings and recommendations. The report states that in 2019 almost half the applications took more than 99 days to decide. It states also that "concerns that bureaucracy and regulation has taken precedence over enabling woodland expansion", that "strong concerns were expressed about the performance of the Department and the quality of customer service" and that "KPIs need to be developed essentially around timescales for decision making". I welcome the fact the Minister of State

has put in place a project management board and that 16 full-time equivalent ecologists and ten additional forestry inspectors were appointed. That is a move in the right direction. The Minister of State is going to initiate the forestry policy group and has hinted that Ms Jo O'Hara will be announced as the person appointed to oversee the implementation of the Mackinnon report.

Will there be a possibility for the forestry policy group to interact with the project management group and the chair of the implementation group in a seamless way? This would impact cases such as those highlighted at today's meeting, where there is an undue length of time or obstacles are put in the way of a seamless process. Will there be a mechanism to enable the triumvirate of Mackinnon, the project management board and the forestry policy group to deal with every issue that arises, and that a process will be put in place to take seriously the issues we heard about today in order that there will be a result? We must be output driven and must see results. That is the only question I have today.

Deputy Carol Nolan: I thank the Chair for facilitating me under great time constraints. We understand and are familiar with the contents of the Mackinnon report. We were hoping that the Minister of State would say, and perhaps she will say it on Thursday, that the report will be fully implemented. This is what needs to happen. The Minister of State and I are in the same constituency, Laois-Offaly. People there see that the forestry sector is on its knees. Everyone in this sector is affected from sawmills to harvesting to haulage. We are going to see more job losses if solid action is not taken very soon.

Is the Minister of State aware that the cost to engage specialists, such as ecologists, archaeologists, engineers, hydrologists, etc., can be between €1,000 to €5,000? This is not sustainable or fair, particularly to small landowners or participants.

Will the Minister of State consider extending the 2004 Act to introduce new exemptions? This was mentioned already in terms of forest road construction and thinning. Farmers who planted land in good faith need to be supported when acts of God occur, such as frost, wind or pest damage. Will the Minister of State give a commitment to the reintroduction of the reconstitution scheme?

My final question is directed to Mr. Hayes. Last week I heard the Department forcefully defend forestry for the first time, following misrepresentation on the calculation of carbon storage by trees. Why has the senior inspectorate of the forest service not defended the forestry sector? Instead it has allowed the industry to be attacked, constantly, by individuals and other Departments and NGOs.

Deputy Danny Healy-Rae: There are 2,000 applications stuck in the system. Serious questions need to be asked of senior management. If one commits manslaughter, one would only get seven years, or one may not even get seven years. I know of a man who reared the finest family of daughters but his application is in the system for seven years. I have 27 applications from a small forestry consultancy firm. Most of them go back to 2018 and some to 2017, and one fellow has been waiting for seven years. Surely those kinds of people deserve an amnesty now. In the current system, there is no timeline. We in the Rural Independent Group fought very hard to provide timelines for applications and for freedom of information, FOI, requests. Even Deputy Kehoe admits there should be a timeline.

It has been brought to my attention that there is a boatload of timber coming from Scotland to the value of €230,000. That is a loss of income to small Irish farmers. The Minister of State needs to pull out all the stops. This cannot and will not continue. The fellows who have

presided over it will be paid, along with their pensions. I am sorry to see what is happening to people in rural areas and people who were depending on this. We talk about felling licences but the Department gave these people grants to plant forestry and premiums each year. There should have been an expectation that they would at least be able to cut and sell it and build a road to take it out. Those forests were planted 20 or 30 years ago. We are now making laws retrospectively to stop them removing or selling the timber they had expected to sell. We talked about Coillte getting felling licences, but this is the company's second or third time-----

Chairman: I thank the Deputy. We have dealt with Coillte. I am under awful time pressure.

Deputy Danny Healy-Rae: All right. We have to do something about the applications that have been in the system for two, three and up to seven years. I call on the Minister of State to examine the matter. I do not blame her. She has been in the job only three or four months and we will give her every chance in the world, but we are telling her how it is. It is very wrong to think what is happening to people who use wheelchairs, who want to cut their bit of timber and to improve their house by making it more accessible for the man who planted the timber 25 or 30 years ago. We need to look after those people and we will be in the House day after day fighting for them. What is happening is very wrong, as it is that people in the Department who are paid high wages have let this country go the way it has in respect of forestry.

Senator Róisín Garvey: Would it be possible to give consideration to amending the reconstitution and underplanting scheme, RUS, for compensation for ash dieback disease, to increase it from the current, 25-year limit to the an open-ended one beginning when the trees were planted? I acknowledge that this question is diverting away from the points made by the Deputies Healy-Rae, but farmers have also contacted me about ash dieback disease several times.

Chairman: There were several questions from six or seven contributors. Unfortunately, I cannot give the Minister of State time to answer because of Covid restrictions. I am getting a strong lecture in my ear because we are a half an hour over time. She might respond to the committee in writing and we will circulate the information. We are going to put together a report on all the meetings we have held. The Minister of State and the officials will have seen the significant anxiety and worry there is about the sector, and she acknowledged that things are not right. Our purpose as a committee is to get things right and there is no vendetta against anyone. We want a thriving forestry sector. Given that we have completed only 2,000 ha of planting in 2020, there are serious problems, in respect of both planting and felling.

Deputy Michael Healy-Rae: On a point of order, I might ask the Chairman - he is an excellent Chairman - whether he could ensure that at a future date, the very persons who are responsible for not issuing licences and for causing this problem, will appear before the committee in order that we will be able to ask direct questions of them. As the Chairman will be aware, I am too polite to name names but Mr. Hayes knows exactly who I am talking about. It is just a suggestion.

Chairman: We know there are problems. There is a new Minister of State-----

Deputy Michael Healy-Rae: The officials are the same. That is the point.

Chairman: We will see. The meeting stands adjourned until 4 p.m. on 24 November. I thank the Minister of State, her officials and the members of the committee.

The joint committee adjourned at 6.35 p.m. until 4 p.m. on Tuesday, 24 November 2020.