

DÁIL ÉIREANN

AN COMHCHOISTE UM CHOMHSHAOL, CULTÚR AGUS GAELTACHT

JOINT COMMITTEE ON ENVIRONMENT, CULTURE AND THE GAELTACHT

Dé Máirt, 26 Feabhra 2013

Tuesday, 26 February 2013

The Joint Committee met at 2.20 p.m.

MEMBERS PRESENT:

Deputy Paudie Coffey,

Deputy Noel Coonan,

Deputy Marcella Corcoran Kennedy,

Deputy Kevin Humphreys,

Deputy Tony McLoughlin,

Deputy Catherine Murphy,

Deputy Brian Stanley,

Senator Cáit Keane,

Senator Denis Landy,

Senator Fiach Mac Conghail,

Senator Labhrás Ó Murchú.

In attendance: Deputies Tom Fleming and Michael Healy-Rae.

DEPUTY MICHAEL MCCARTHY IN THE CHAIR.

The joint committee met in private session until 2.35 p.m.

Property Insurance: Discussion with Irish Rural Dwellers Association

Chairman: The purpose of today's meeting is to discuss with the Irish Rural Dwellers Association the difficulties in obtaining insurance for properties in areas that have experienced extreme weather events and empowering rural communities to achieve growth and sustainability. I propose that we deal with the topics separately. One might lead into the other and if that is the case, so be it. I will ask the witnesses to be as brief in their contributions and as specific to the two topics as is possible. I welcome the following: from the Irish Rural Dwellers Association Mr. James Doyle, chairman, and Mr. Neilie O'Sullivan, PRO; from the GAA Mr. John Kelly; from the IFA Mr. Sean Brosnan; and from the McGillicuddy Reeks Study Group, Mr. Micheál O'Connell.

By virtue of section 17(2)(l) of the Defamation Act 2009, you are protected by absolute privilege in respect of the evidence you are to give this committee. If you are directed by the committee to cease giving evidence in relation to a particular matter and you continue to do, you are entitled thereafter only to a qualified privilege in respect of your evidence. You are directed that only evidence connected with the subject matter of these proceedings is to be given and you are asked to respect the parliamentary practice to the effect that, where possible, you should not criticise or make charges against any persons or entity by name or in such a way as to make him, her or it identifiable. The opening statement and other documents you have submitted to the committee will be published on the committee website this afternoon. Members are reminded of a long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the Houses, or any official by name or in such a way as to make him or her identifiable.

Today's meeting is another instalment of the process in which the committee is engaged to get a feeling for what it is like for people to get insurance following the devastating effects of flooding in recent times, particularly the summer flooding. I am from west County Cork, which has been very badly affected in towns such as Clonakilty and Skibbereen. There are also legacy issues in other areas. We want to get some idea of the difficulties people represented by the Irish Rural Dwellers Association have encountered in getting insurance renewal. Some have been refused cover and others have faced increased premia. It is not just down to a person's residence; it has a very devastating effect on a whole community.

Mr. James Doyle: I will read a short statement. Extreme weather events seem to be on the increase, with torrential rainfall causing flash flooding which in turn can cause extensive damage to homes and businesses. Some areas are more prone to flooding and damage and as a result insurance companies will not cover them for risk. Homes and businesses find themselves in the vulnerable position of being unable to get insurance against loss or damage, thus challenging Government to come up with a solution to help people who have suffered major loss as a result of property damage.

As a first step, a thorough assessment of the scale, extent and intensity of the problem needs to be undertaken. A number of different approaches need to be considered. For instance, urban areas where flood defences can be erected need to be treated differently from natural river flood plains in that urban areas need to be treated as capital expenditure. In some cases only parts of a townland may be under threat of flooding but the entire townland is being blacklisted by insur-

ance companies. The Shannon basin flooding problem must be considered, as it is a recurring event. Financial help will need to be given to those without insurance cover suffering damage and loss owing to the extreme weather conditions. We welcome this opportunity to discuss this very serious and pressing problem and look forward to participating in a further discussion.

I referred to urban areas versus the individual house. If flood defences are capable of being put in place, that is a different way of financing compared with a private house which may not have that facility available. That is one of the big distinctions. The Shannon basin is another major ongoing problem. I do not know what can be done about that because there have been so many Government promises over the years about drainage for the Shannon. There are many individuals in rural areas along the Shannon and, as the Chairman rightly pointed out, it is very detrimental to the whole community there when their homes, farmland and businesses are flooded. That is a major problem. That is a kind of national approach again as distinct from the problem with insurance on the individual home or business. How will this be addressed? One always thinks of some of what happened in the past and that it is another levy on somebody else's insurance. In this climate it would take a very brave person to suggest another levy on somebody else's insurance to pay for something. We would like to discuss the issue today, if this is possible.

Chairman: Absolutely. What has been the significant difficulty people have experienced with insurance companies? Is it in getting cover or is it increased policy fees which, if large enough, in effect are a way of telling someone he or she will not be covered?

Mr. James Doyle: I come from near Killarney and I referred to the townland situation. When one goes to an insurance company and gives one's name and address the employee presses a couple of buttons on the computer to bring up the map. Although part of a townland or area has never experienced flooding, it could be blacklisted as part of an entire area, and as a result a premium is put on the policy whereby the property cannot be insured. A study needs to be done to quantify the problem and establish where it is and come to a sensible conclusion on how to deal with it. Certain towns and urban areas have rivers or are built on river basins. Work can be done in towns such as Mallow, Clonmel or Clonakilty but this is a different problem to a person in an individual house at the mercy of an insurance company with no redress by way of protection. Perhaps part of the problem is a legacy of the Celtic tiger when building was done on flood plains. This is another big area which needs to be addressed. A study must be done to quantify the problem, see where exactly it is and who is affected and establish who will pick up the tab.

Chairman: What is Mr. Doyle's experience of the response by agencies with regard to the general clean-up? Has the response of the local authorities and the OPW being efficient, slow, tedious, helpful or dogged by bureaucracy?

Mr. James Doyle: By the very nature of the events we have set out, and the extreme weather conditions, there is often very little warning. In fairness to the local authorities and the other agencies tasked with such work, drains were blocked and the events happened very quickly. Generally speaking the response is reasonably good but anything can be improved. The agencies do the best they can with the resources at their disposal at present.

Deputy Brian Stanley: I thank Mr. Doyle for his presentation and for coming before the committee. Are we dealing with the flooding issue at present?

Chairman: The Deputy can ask questions on both issues if he wishes. It would probably

be as wise to do so.

Deputy Brian Stanley: Mr. Doyle mentioned the Shannon, and prior to the arrival of the witnesses the committee passed a motion that its all-party report be referred to the Dáil where it would be discussed with the Minister of State, Deputy Hayes, present. The report includes eight recommendations and I believe the witnesses will agree with most of them. The IFA came before the committee and we discussed the matter with them. We are anxious to solve this issue as it is a problem with regard to many rivers apart from the Shannon.

The National Parks and Wildlife Service is a particular problem. It sees its role as protecting wildlife, but allowing water levels to rise so high on the Shannon and other rivers means entire species such as the corncrake are being wiped out. There is a similar problem on a smaller scale in my constituency with the River Goul. I ask Mr. Doyle to comment on this. I am very concerned about it. We will end up losing species and wiping out the human race along river banks because farming will not be viable if the Taliban approach of the National Parks and Wildlife Service continues. As a Deputy I feel it needs to be challenged and I encourage the witnesses to do so. Rules made in Brussels will not work during extreme weather events in Killarney, in Cullahill in Laois or along the banks of the Shannon, and this has been proved. We need to drive home this message loud and clear.

Mr. Doyle made a good point on townlands being flooded. It is a problem. Consultants are hired to zone areas and draw up flood maps but the problem is that areas are lumped together. It is an issue with local area plans whereby huge townlands have been sterilised and designated as flood plains. In Mountmellick an entire area was designated as a flood plain but in actual fact a strip approximately 10 meters wide along the edge of a drain is a flood plain, but the rest of the area cannot be flooded because it is a hill and water will not flow uphill - at least I never saw it do so. We need to address this issue.

I am interested in the views of the witnesses with regard to the policy of the National Parks and Wildlife Service on silt removal and the removal of barriers. This problem will multiply throughout the country and is already becoming a significant issue. Had we followed the present approach under the old Board of Works, which preceded the Office of Public Works, approximately one third of what is now agricultural land would not be such and part of the country would still be covered in bogs and woods. I would like to hear the views of the witnesses on how best this can be tackled. It is causing serious problems, including flooding in towns, because the rules on removing a bit of silt are so strict that if one wants to do €1,000 worth of work with a Hymac, one must obtain a €10,000 report, and if six or 12 months pass one must obtain another report. This is a huge issue which needs to be addressed.

With regard to insurance, obviously imposing an extra levy would be difficult. Does Mr. Doyle see a legal or legislative response to this through the Dáil and Seanad bringing forward new legislation to protect people living in townlands where, to put it simply, a small part of the townland may be flooded but the greater part of the townland would not? Does the law on this need to be changed?

Mr. James Doyle: We need a bottom up approach and consultation with the people who live on the farms and territory of rural Ireland. Much of what comes from Brussels much of the time does not take into account the people, and decisions are made remotely. We need to go back to a community and knowledge-based approach. The best knowledge is on the ground and was handed down to us by our forefathers. We have always cared for the land and our rivers. A classic example in Kerry is with regard to fires on the MacGillicuddy Reeks as a result

of bad policy, some of which emanates from Brussels in response to overgrazing of sheep. The mountains have always been burned in a very controlled way to enable young growth to provide grazing for sheep. The sheep were compulsorily removed, which meant the heather and other plants grew to ten or 12 feet high and as soon as they took fire it turned into a forest fire. This is what happens and it puts much property at risk. It comes back to the rural forum which could be established and would allow interaction. The advice from those who have traditionally farmed and worked the land, and who know better than most how to manage the countryside, should be taken as professional advice. The same applies with regard to the rivers. I do not know when some of the maps available were drawn up, but as Deputy Stanley stated, it makes no sense that a river plain extends over a hill which is 300 feet high, as is the case. That is the case and the reason I alluded to it in my opening remarks. I think the answer to the problem is a rural forum where rural people would have an input and would be consulted to deliver sensible decisions as to how farms and the countryside would develop.

Deputy Brian Stanley: On the question of insurance, is legislation needed given that certain townlands are suffering as a small part of a townland may be prone to flooding while the rest of it would not be flooded if Noah and his Ark were back again?

Mr. James Doyle: That is what I am saying. There should be no need for a levy on the person whose property is not subject to flooding. If a person's property is subject to flooding no insurance company will take on that risk. That is a fact of life. Insurance companies are commercial entities and we fully recognise that. However, that does not mean that person as a citizen who pays his taxes should not have the same protection as a person in an urban area whose problem may be solved by taxpayers' money by way of defences. The risk must be equalised. How that is to be financed is another day's work but I would be loath to suggest how it might be done.

Deputy Paudie Coffey: I thank the witnesses for raising this important issue and raising it with the committee. While much focus has been on the Shannon and there is no doubt that area has experienced serious flooding, in recent years serious flooding issues have arisen in rivers all over the country. In Waterford, the area I represent, the River Suir and River Clodagh are tidal. When an extreme weather event occurs there is a huge swell in the rivers with the additional water and the river banks are under severe pressure. I agree with Deputy Stanley who outlined his concerns in regard to the National Parks and Wildlife Service. As a committee we need to ascertain if we can seek exemptions for emergency works for reinforcement of river banks or removal of silt in rivers where there is extreme pressure. Recently I have seen farmlands flooded where the water got out on to regional roads and caused a serious traffic hazard. In the area I speak about, flood defence and mitigation measures have been put in place. A huge investment has been made by the Government in Clonmel, Carrick-on-Suir and Waterford city to defend against flooding. What appears to happen - I hope we may hear more from the Office of Public Works - is that pressure is funnelled down the river and on to the banks. It floods rural areas and puts townlands that previously may not have been flooded under serious pressure. There is a knock-on effect. There is a need for serious engagement with the Office of Public Works and the National Parks and Wildlife Service on silt removal and the reinforcement of river banks to make it easier for landowners and farmers to do the work in an emergency and readily fashion. I am interested to hear about the bottom-up approach. The witnesses, and the committee to a lesser degree, have an important role to play in voicing their concerns. The setting up by the Government of the rural commission, under the chairmanship of Pat Spillane, should give us an opportunity to feed back to Government the significance of what the witnesses have said. I understand the witnesses have a meeting arranged or it is engaging with that commission. Perhaps

they would elaborate on what their approach might be in order that we can broaden the support they will require to express that view. It is important to express that view.

Insurance is becoming a huge issue. It is like the special areas of conversation where the lines are just drawn on a map. Other representatives and I would have seen where local authorities include whole fields when only a ten metre run along a river or stream should be in the special area of conservation. That is another issue. Perhaps the witnesses would express their views on how the special areas of conservation are designated officially and how rural Ireland and farming people should respond to try to make it fairer and practical.

Mr. James Doyle: Basically, that is what I am saying, that the dialogue should take place before the event rather than after. Most of the time, as I explained about the sheep, there was not enough consultation and local knowledge taken on board. As Deputy Stanley rightly pointed out, somebody who is remote from the problem, makes a decision which is an academic approach to a situation where there are practical issues that have to be taken into account. This is the bottom up approach. If we had consultation and that type of forum, when significant decisions are being taken about sterilising land or whatever, whereby people could be consulted and invited to make an input which is reasonable and understandable then we could address many of those problems without any cost to the Exchequer; in fact we might spare the Exchequer money.

Chairman: May I ask Mr. Doyle a question? How does he find the interaction between the MEPs for our area? Traditionally, they would argue that it is very difficult for them to get involved and try to get a profile from issues nationally, even though we are part of Europe as a whole. How does he find the interaction with MEPs around such issues?

Mr. James Doyle: I am reluctant to say that there is very little interaction with the MEPs. I suppose it is the poor relation of administration. I do not know how that can be corrected. Some of us might have access but there is not general access to MEPs as such. They are very spread out. While the country is small, at the same time there is much travelling involved. We are very fortunate in Killarney because we have an MEP beside us but that does not mean that somebody in a different part of the countryside has the same access. Neither do they have the structure on the ground to cater for that type of interaction which is a great pity. I was in Brussels last year with our MEP where we met some members of the European Commission. The Commission is not as draconian as we portray it. The directives coming from Brussels are not draconian, it is only when we get them here, we seem to go to town on them. That is a breakdown in the system. I am glad the Chairman asked the question because it is an important issue that needs to be addressed, given that the European Council has so much power, which we welcome in a democracy, but maybe it is the bad way around on the other hand. I used to be in IFA and I was in Brussels a few times. My experience of the Commission was that it was far more benign than what emerged in Ireland afterwards.

Chairman: That is an interesting point.

Deputy Kevin Humphreys: The witnesses are very welcome. I take on board what the witness said about using tradition and local knowledge. Certainly it is a rich fane that one should tap into and an under used resource in urban and rural areas. We have to look constantly at mechanisms for tapping into that knowledge. I think the proposed forum could work in a constructive way.

The witness talked about flooding, mapping and sea farms. Flooding is a topical issue no matter what part of the country one resides, whether urban or rural. Having listened to the

witness the problems are similar. The geocoding is the same in Dublin as in Kerry, Cork or Galway. There are houses on top of hills coded as in a flood area. They cannot get household insurance and people cannot sell their homes because the purchaser cannot get a mortgage and they are totally locked in. This is very much a common cause. The Minister of State at the Department of Finance, Deputy Brian Hayes, is working extremely hard on the issue and Deputy Donohoe and I have raised the issue many times. He is working within a sub-group trying to tackle the issue. For those whose houses have been flooded, there must be some mechanism to allow them get insurance. It is better that they contribute to their own insurance costs if the house is going to be flooded. Most of the homes and properties that are flooded are on clear flood plains that floods on a normal basis. As there is also the one in a 100 year event or the one in a 200 year event, there must be a mechanism to allow that householder or business to get insurance cover. While we work cross-party here we should work together across urban and rural to achieve that aim. There should not be too big an onus in terms of cost imposed on the property that may be flooded once in 100 years.

There is another matter on which we need to work together, that is after flood defence works have been carried out, there is a reluctance on the part of insurance companies to cover the properties for insurance. Taxpayers' moneys may have been expended to protect Clonmel, or areas such as Ringsend in my community, but people still cannot get insurance. The Irish Insurance Federation has appeared before the committee but I do not think it realises how big an issue this is. It speaks about 90% of householders and 90% of property being insured, but a growing percentage cannot obtain flood insurance and its is having a negative impact on the local economy.

If the suggested forum gets up and running how will it work in partnership with agencies such as the OPW to ensure rural areas get the benefit of flood defence works and identify what I believe are very serious flaws in the geocoding? Mr. Doyle mentioned a house on top of the hill. A house at the top of the valley in Lucan cannot obtain flood insurance although it is only houses at the bottom of the valley which get flooded. The insurance companies do not seem to be ready to take this on board. The Chairman has been doing some very important work on this and perhaps when we finish this part of the module and issue our report on flooding we can invite the witnesses to come before the committee again. The commonality is enormous; it is as much an urban problem as it is a rural one and we must work together to resolve it. I accept what Mr. Doyle stated about the mapping and catchment flood risk assessment and management studies, CFRAMS, and it is about how we co-operate to come to a solution. I do not see an urban rural divide in any of these issues; it is about how we work together to resolve them.

Chairman: As no question was asked I will call Deputy Marcella Corcoran Kennedy.

Deputy Marcella Corcoran Kennedy: I thank the witnesses for coming before the committee. How do the witnesses hope to engage with the rural commission mentioned earlier? Will they seek a meeting to put forward their views on the work being done on economic development in rural areas? What engagement do the witnesses hope to have with the rural commission? The witnesses are aware of the national spatial strategy. Recent developments were made with regard to the approach being taken by the Department of the Environment, Community and Local Government. Have the witnesses had an opportunity to examine these to see what impact they will have on rural Ireland?

Mr. James Doyle: With regard to the rural commission, I am glad to report we have already met Pat Spillane in Kerry and we had a very constructive conversation with him. We have been very positive in our approach towards it and we have a nine-point plan. Mr. O'Sullivan will

outline our rural forum proposal. Earlier this year, we presented our booklet, *The Rural Challenge*, to Deputies and Senators and it is also available on our website theruralchallenge.com. It contains a 12-point plan and perhaps it answers some of the questions that have been asked.

Mr. Neillie O’Sullivan: The subtitle of *The Rural Challenge*, “Empowering Rural Communities To Achieve Growth & Sustainability”, captures the issue. The initiative came about through co-operation between the Irish Rural Dwellers Association, the Kerry executive of the IFA and the Kerry county board of the GAA. All three organisations are extremely concerned about rural depopulation and what is happening to rural communities. The GAA county board commissioned a study which produced some alarming results on population decline, particularly with regard to the peninsulas and the peripheral areas of the county. We then commissioned this report in association with the Institute of Technology Tralee and we launched it last April.

The report identifies our key demand, which is the establishment of a rural forum. Remarkably, when we examined the subject we discovered one of the key recommendations of the 1999 White Paper on rural development, which is an excellent document, was the establishment of a rural forum. The White Paper was possibly mislaid during the euphoria of the Celtic tiger era when we were all doing very well. We need to get back to it because there is no doubt that rural Ireland is suffering. We need a bottom-up common approach.

The central theme of *The Rural Challenge* is about the inalienable right of people to continue to live and prosper in rural Ireland. We call for the establishment of a rural forum to address in a non-confrontational manner the needs, aspirations and ongoing welfare of those who wish to live, work and raise their families in the Irish rural countryside. The rural forum would provide a meaningful opportunity for rural issues and concerns to be validated in a bottom-up approach and would give rural people a strong voice and input into policies which impact on their way of life. The rural challenge group is entirely non-political and not aligned to any particular movement. We are not interested in public protest or civil disobedience campaigns. We want to enter into dialogue with our public representatives in local and national government to draw up a realistic vision for the development of rural Ireland and its people well into the 21st century and beyond.

Rural Ireland is home to 1.5 million people and is still a great place to live. We propose a 12-point action plan which we believe if implemented would ensure the future viability and sustainability of our rural way of life. These 12 points include: fair and equitable rural planning whereby rural people’s inalienable right to reside in the countryside is acknowledged and asserted; a reversal of Government and public policy strategies, which to date seem focused on the reduction or closure of services throughout rural Ireland; providing infrastructure and appropriate access to encourage vibrant rural enterprises, including better road access to western seaboard counties and better rail and air services; the provision of high-speed broadband and advanced technology which would facilitate the proliferation of small rural industries and support the concept of home working; the provision of appropriate business supports to allow for innovative rural enterprise and the removal of bureaucratic blockages which tend to stymie small-scale rural enterprises; the ongoing development of the family farm enterprise and the agri-food sector which has the capacity to create much sustainable employment; quality-of-life issues such as home care strategies for the elderly, meaningful community care programmes and support for the concept of the extended family, which traditionally has been a welcome feature of rural life; the recognition of rural customs and traditions and the preservation of a rural heritage; establishing one-stop-shop service outlets in local communities, perhaps utilising the local post office as the preferred location; a review of the national spatial strategy which we

believe tends to concern itself primarily with urban development; developing first-class sustainable rural communities through ongoing and genuine collaboration and engagement with local communities and community organisations; and, something which is in the news at the moment, the retention and development of the rural transport system. These are our key objectives. We believe the 1999 White Paper should be updated and re-examined as it was an excellent document which ticked many of the boxes in which we are very interested.

Deputy Tom Fleming: I welcome the witnesses. They have a great deal of experience of working in their local communities, they have diverse occupations and are representative of rural Ireland.

Ireland is a small country with a very good quality of life which is envied by many countries. A view expressed by visitors when they come here is that we have an unpolluted countryside and a lovely environment. Our only difficulty is a lack of structures.

As has been mentioned, we need to provide more care for the elderly. We have some isolated and remote areas. It is thanks to the people who develop them, and the moneys provided by the Government, that rural transport has greatly benefited a rural lifestyle and gives people an opportunity to maintain that lifestyle. We hope that the Government will maintain the existing structures and provide funding to develop them further.

Unfortunately, this is a time of economic difficulties and moneys for roads is getting scarce. I hope that this is only temporary because people living in rural Ireland rely on a good road network and water supply. I also hope that the establishment of the Irish Water service will continue to provide a high quality water supply in all parts of Ireland. Emphasis should be placed on the rural group water schemes which were established and maintained by people on a voluntary basis. They are highly prized by rural communities. Subsidies will be required in order to maintain the group water schemes before they are taken over by the councils. There are many snags in the way because there are various types of wayleave, rights of way issues and technical legal matters that must be resolved. I hope that the new structure will ensure that funding will be maintained until such time as the Irish Water board is up and running. I hope that there will be adequate free water allowances provided and so on.

Broadband was mentioned. We are light years behind the rest of the Continent. We have a Third World broadband service. We are gradually building the speed of broadband but we need to accelerate the process because it would give everyone throughout the country equal opportunities. Broadband speeds have fallen behind in the lower populated areas but I hope that we will catch up over the next couple of years. Faster broadband would enable people to live in their areas and to develop their family farms more. Farming is a business nowadays and one must view it as such. Broadband is an important infrastructure when it comes to maintaining a farming business.

Credit was also mentioned. A microenterprise scheme has been established and it has been heartening to see commercial people avail of it. I hope that the scheme will be extended to small farmers and rural enterprises in order to help them to launch their businesses. Naturally, the scheme holds great potential for the agrifood industry.

Community groups operate on a voluntary basis and enhance towns and villages. They are a great asset to rural Ireland and I hope that the Government will give them greater recognition and the necessary supports.

The agri-environment schemes are another matter. I hope that they will not be watered down and that their funding is maintained. Farmers are the custodians of the countryside and the schemes have proved beneficial.

Earlier, Mr. James Doyle referred to acidic soil, particularly in parts of south Kerry, which prohibits forestry development. Perhaps we might ask the MEPs or people in the European institutions to examine the matter. The problem has prevented a lot of forestry work.

I wish to comment on flooding. The Flesk river flows into the lakes of Killarney. The area suffered widespread flooding a number of years ago but the problem was mitigated to an extent by rural schemes such as FÁS schemes. Participants on temporary work schemes cleared fallen trees and scrub from rivers which greatly eased the problem. Perhaps we could examine providing those schemes to operate on some of the rivers in that respect.

Deputy Michael Healy-Rae: I thank the Chairman for allowing me to speak on this important matter. I welcome the group and thank them for bringing their wealth of experience to these proceedings. They are farming community groups, experienced farm leaders, farmers and people who work in the public and legal sectors. It is great to have the association here.

One thing that I like about the association is that its attendance puts to bed a lot of criticism levelled by our critics who categorised the Irish Rural Dwellers Association as only being concerned with building houses on family farms. The delegation proves that the association, and groups like it, simply stand up for rural Ireland. There are 100 other issues like this one and it is important that the association made its presentation today. The critics' views have been knocked on the head. They wanted to box us in and label us as something we are not, and I appreciate the association's presentation. I also thank it for the excellent work it has done.

The presentation commenced with issues such as insurance, flooding and similar. It is blatantly obvious that flooding was caused by restrictions imposed by Europe and, like the association said, by the Department regarding the extraction of gravel from rivers. Gravel naturally occurs in certain places on rivers. Over the years farmers, not in a large commercial way but in a small way, and if a farmer did not own a digger he hired a digger instead, spent a day drawing gravel out of a section of the river where it was easy to access a gravel deposit. He cleaned up a section of the river and took away the gravel to use it for roadways, stockpiled it for use during the winter or to carry out jobs here and there, and the gravel was also mixed with concrete to cover yards. It was put to a myriad of uses. That gravel helped the farmer and in exchange, he cleaned the river. The hole in the river basin meant that when nature took over again the gravel was deposited in the hole instead of choking the river. It was like saving hay or turf every year. The gravel was available to the farmer every year. The removal of gravel was perfectly natural for the farmer. No fish were killed because the exercise was carried out at the correct time of year. Not at a time when fish spawned and so on.

Today, a farmer would be nearly shot if he was seen going into a river with a machine and a tractor and trailer. That is no exaggeration. If he went into a town and robbed a bank there would be less notice taken of him. If a farmer is seen going into a river with a machine, people will be down on him like a ton of bricks and, believe me, I know it. Unfortunately, that is what people are up against. One of the first issues I raised in the Chamber with the Minister for Agriculture, Food and the Marine and the Minister for the Environment, Community and Local Government was that farmers would be allowed, under supervision, to continue the practice of extracting gravel from their local river. I really believe it would do untold good. All members can name every river in their area. In County Kerry one can go along the river from Master-

geehy and Dromod and in places the water level of the river is higher than the level of the road. Whereas in the past the level of the river was below the road but now it is higher in places. That is dreadful. It is obvious that the removal of gravel from rivers would prevent flooding of roads and farms and even in cases prevent the flooding of houses.

The local authorities would like people to believe that county councillors zoned land for housing in places, in areas in which houses should not be built. In County Kerry I know the statistics. Somewhere between 75% and 83% of the land in County Kerry was zoned by the planners themselves and not everybody is aware of that. They would prefer to allow the politicians to take the responsibility for zoning. The politicians acted very prudently in regard to planning. However, the planners zoned land for housing that is subject to flooding and insurance is a major issue for these householders. I welcome the fact the problem is being highlighted.

If only a single recommendation were to be made, I would be delighted if the Chairman could take it on board and spearhead it because he is a practical man. The recommendation would be to allow for the extraction of gravel from rivers.

I am sure the members were disappointed, as I was last week, by the tax break in the Finance Bill for people to renovate buildings in the centre of cities. While that is very laudable and will help people living in cities, I would like to see an incentive for people living in rural areas. If the Government had in its wisdom sought to make a provision for a tax break for people who own dilapidated buildings in smaller towns and villages, it would act as an incentive to bring young couples into dying villages. Look at what a boost that would be to rural Ireland. We need such initiatives.

Last night I attended a public meeting called by Pat Spillane, the chairman of the commission on rural economic development. I wish the commission well but I hope when it makes recommendations to the Cabinet, the latter will listen. Many of the members attending this meeting are going to Government daily with sensible suggestions but the issue is whether the Government is listening. Perhaps the Government may listen to Pat Spillane whereas it will not listen to members.

A major challenge for rural Ireland is the issue of post offices. The Government has already closed many rural Garda stations and should the post office network lose the contract, which is up for renewal, for issuing social welfare cheques it will lead to the decimation of the network in rural areas. The loss of a post office to an area is the final kick in the teeth and it is very important to try to work together to save post offices. Deputy Sean Fleming has compared the broadband service in urban and rural areas, but it is like comparing the speed of a bicycle with a Ferrari. The service in rural areas is not fit for purpose. We must ensure that broadband is available everywhere.

I wish to raise a number of points, but the Chairman is rushing me.

Chairman: Deputy Murphy is eager to make a contribution.

Deputy Michael Healy-Rae: Thank you, Chairman.

Deputy Catherine Murphy: I apologise for missing the presentation as I was delayed but the issues raised have ranged over topics not indicated on the agenda. I represent Kildare North where people have experienced flooding in both rural and urban locations. If we were to begin again, we would not build in some locations. Mistakes were made in the past. We cannot repeat the same mistakes in the future. It is important to state that. When the OPW conducts a

cost benefit analysis for the remediation of flooding, the analysis will disproportionately favour urban locations because the property loss is greater. That is part of the problem to which I can point in my constituency. In a town, a scheme will remediate a number of housing estates but in a rural area in which the houses are dispersed over a wide area, it is more difficult to introduce a scheme.

I take issue with a number of points raised by Deputy Healy-Rae. We must recognise that climate change is making a significant difference. It does not matter how much sediment and gravel one takes out of the river bed, there will be a problem which we must not exacerbate. Judging from what I have seen of the OPW, it would need to see a robust cost benefit analysis before it will spend public money. I am sure he is aware of that.

Attention was drawn to opportunities created by renewable energy and forestry the involvement of community groups and the role of farmers markets. We will have a debate in the near future about Coillte. There are opportunities in rural Ireland that can be exploited.

The zoning of land is a reserved function. In cases in which the local authority officials make a recommendation, the councillors have the ultimate responsibility in voting on the recommendation. I can point to areas in which very bad decisions were made by allowing development on known flood plains. We must all pick up the price for those decisions but we should learn from the experience. I do not doubt that is a really serious problem for those who are trying to get insurance. I have come across problems in both rural and urban settlements in my constituency. I understand how it plays out and the difficulties it presents for people.

Chairman: I thank Deputy Murphy. Do the witnesses wish to respond to the points made by Deputies Fleming, Healy-Rae and Murphy?

Mr. James Doyle: With the permission of the Chair, I wish to introduce Mr. Micheál O'Connell, who is involved in a study of the opportunities for development in the McGillicuddy Reeks and its hinterland. On my left is Mr. John Kelly from the GAA, who wishes to make a presentation and Mr. James McCarthy will be representing the IFA. The Irish Rural Dwellers Association is an amalgam of other organisations with representatives from the IFA, the GAA and the McGillicuddy Reeks Study Group. We are trying to build a community group and widen the scope of representation from rural areas.

Mr. Micheál O'Connell: Thank you very much, Chairman. I do not have a huge amount to add to the committee's deliberations today. I am involved in a group called the McGillicuddy Reeks Study Group - also known as a trust or community group. It is a group without any particular affiliation to any other group. We have been kindly invited to participate today and we are grateful for this opportunity that has been given to us. We are endeavouring to bring together the entire community of what is a particularly small area nationally, but a substantial area in Kerry, to try to redress the disintegration of rural life that is taking place within that area. The area is rich in natural resources and has the highest mountains in the country. It is also an area of great beauty, but the human habitat is being destroyed on a daily basis.

The purpose of the McGillicuddy Reeks Study Group is to examine ways in which that might be redressed. We do not have a particular outcome in mind, nor do we look at it on the basis of what is wrong. We are looking at what is there and what we can do to improve it. Part of the problem nowadays is that, because of increased mechanisation, industrialisation and the Internet, people are acting very much as individuals rather than as a group. We are trying to redress that development.

We are not particularly interested in an outcome that makes the rural community dependent on hand-outs. We want to promote a means of making a livelihood that is not so dependent. We look at tax breaks ahead of hand-outs, but that is all in the future. All we are doing is carrying out an audit of resources in the area. Hopefully, we can become a pilot for future plans in other areas. We are looking at what might be achievable when we get our audit back. It is being worked on at the moment and in the next few months it will hopefully be available. We can then move on to the feasibility stage.

We would like to support those who wish to make a living in this area by guiding them through the regulatory quagmire that affects rural areas, including SACs and SPAs. An individual who is trying to take on this quagmire is simply washed away by the flood of red tape. If we can encourage groups to work together as communities, we can then pool our resources and get through that quagmire. European regulations are not necessarily something that this committee or the Dáil itself can change at the moment. We have to work with them and that is the reality of the situation, but we cannot do so as individuals. We have to persuade those who are making the decisions that they have options, which is what we will continue to do.

We endeavoured to get support from the South Kerry Development Partnership which is supposed to be a support body for groups such as ours. However, after about six months of red tape we just gave up. In a matter of four days, overseas supporters provided the same amount of money that we needed to carry out a feasibility study. Those involved in conservation and agricultural projects abroad can see the value of this, but our own Government cannot. Nonetheless we will progress. We do not want to be in a situation where we are always looking for hand-outs from the Government.

That is a brief introduction to our work. We do want a forum to be able to communicate with the various organisations with which we will have to deal. A substantial portion of the McGillicuddy Reeks is designated as an SPA and an SAC by the National Parks and Wildlife Service, so there is very little that can be done. However, we want people in the Government to meet us and talk to us, instead of just coming along at the very end and saying that we cannot do that.

There has been a lack of consultation, which is what my colleagues here have been speaking about. We would like to be able to approach some people and have them listen to us at this early stage so that when we come to them they will say “That is the thing you were talking about. Yes, we have looked into that and these are ways we can get around the legal quagmire.”

Deputy Noel Coonan took the Chair.

Mr. John Kelly: I am representing the GAA and have spent 35 years working with communities. I have always been deeply impressed by the contribution the GAA has made to the life of communities in so many parishes and townlands around the country and beyond. The heading “Community of Faith” still defines the GAA.

I am just representing Kerry today but this is a national problem. The GAA is a community organisation and caters for everybody - young and old, men and women. It has also made a huge contribution to the economy through the purchase of equipment.

In 2010, the Kerry county board commissioned a survey or report which makes for dire reading. A number of clubs have gone into decline, including the one that Micheál’s father, Mick O’Connell, who won many All-Irelands with Kerry, played with. At the moment they

face becoming defunct.

The big problem is that if small rural GAA clubs - as with small rural schools and post offices - become defunct and people move away to work in urban areas, the infrastructure will no longer be there. It is impossible to get land in urban areas for school playing fields. With population growth, we have found that is the case, particularly in Killarney and Tralee. We are therefore advocating that more facilities and opportunities should be made available in rural areas.

I have also been working at Croke Park on the problem of rural isolation with Ms Colleen Regan. During her period in office, the former President Mary McAleese and her husband Martin became very concerned about rural isolation. I was on a committee in Croke Park dealing with that issue. In addition, I was involved with a report which the South Kerry Development Partnership commissioned in 2010.

When considering rural isolation we found that three things were required, namely, rural transport, the rural social scheme, and local community involvement and interaction. We found that such areas used to have the mart, mass and fairs. The fairs and creameries have gone now, however. All that is left for people in isolated areas therefore is the rural pub, which is also in decline. The only outlet many people had in such areas was to go to the local GAA field. If the rural GAA clubs go, that will be gone too.

In 2010, the coroner for south Kerry, Mr. Terence Casey, found that suicide was increasing in the county. It is a national problem with 600 people dying per year by suicide. The graph is moving towards the elderly in rural areas, including south Kerry. There is much concern about this, including the concerns voiced by the coroner.

We are trying to address the problem by providing services in community halls. Our own Spa GAA club outside Killarney has social activities, including card drives which we also take around to local community centres. We are seeking efforts to halt the rural decay of the GAA. The GAA should be part of the rural forum. We do not want to lose small communities where there is great interaction and social cohesion - some people call it social capital - between young and old. It is a great asset to communities. Providing the infrastructure, however, is a difficult problem.

Deputies Healy-Rae and Fleming mentioned flooding. I live near the River Flesk where there was a serious flooding problem for a number of years. In that case, they moved in a Hymac and lowered the river bed, removed stones and drained the surrounding area, thus solving the problem. There has been no more flooding, although there had been for a number of years previously. In addition, they erected barriers on the river banks to improve it. It was a very simple process.

I advocate the establishment of a rural forum. We are working closely with Mr. Pat Spillane and had a good meeting with him last week.

Mr. James McCarthy: I represented Kerry IFA in the drawing up of the document, The Rural Challenge. I thank Deputies Healy-Rae and Fleming for facilitating our attendance today. We also have met Pat Spillane's commission for the economic development of rural areas, CEDRA, and were very impressed with the technical backup it is getting from Teagasc. Very eminent people from the latter organisation are involved in the commission, which focuses more on job creation, which obviously is the central part of economic development. The idea

of the Irish Rural Dwellers Association, included in our document, was that the forum might be expanded at some point beyond job creation towards other social aspects as there probably is some need for a rural forum.

On the specific issue of flooding, I agree with Deputy Healy-Rae on the need for draining. I understand that €30 million is being spent on the catchment flood risk assessment and management, CFRAM, studies. This constitutes a large sum of money at present and is more than is being spent on the most recent agri-environment scheme. While this money is merely being spent on a study of flooding, I believe a lot of the flooding problems could be solved were it used to clean up some of the rivers. Moreover, much of the flooding could be cleared by landowners themselves with a shovel, a digger or whatever. However, there are restrictions in place and even during those times of the year when such restrictions do not apply, many landowners are afraid to conduct such work because there are penalties for so doing at the wrong time of the year.

On the aspects that relate to this joint committee, one point we mentioned at the CEDRA forum last week concerned the wood energy project under way in County Kerry. I believe this very exciting project would be of interest to this committee and one of the key points is it actually was driven by the public sector. It has been driven by the county manager and his staff, Teagasc and the forest service. This represents entrepreneurship coming from the public rather than the private sector. Both we and they have a few issues with it. Some of our issues concern the restrictions on developing forestry within the county, some of which are environmental restrictions, while others simply are restrictions that emanate from within the Department of Agriculture, Food and the Marine. In addition, there are issues for the local authority in rolling out the schemes in respect of regulation of the heat distribution network. There are many ideas extant and I believe Pat Spillane's forum is gathering them up. We do not envisage it to be a commission that will last forever. It will present its ideas before September and will conclude. Following on from that, if it is successful, one certainly could think about expanding it into the rural forum about which the Irish Rural Dwellers Association is talking.

Mr. James Doyle: In conclusion, today we have been discussing a local initiative in County Kerry even though the Irish Rural Dwellers Association, the IFA and GAA are national organisations. However, they have come together in Kerry and this initiative has application for the entire country. I am sure that most of what has been said today could be repeated all over the country and basically, our points are common to the entire country.

I will make one point on flooding in respect of the gravel. I was on a fishery board myself for a number of years and still have an association with the inland fisheries organisation. One major problem that did happen, was that big Hymacs went in and dug out the beds of the river, which of course is not acceptable to anyone. Much activity like that on the rivers has been stopped, I am sure Deputy Healy-Rae was not talking about that either but certainly sensible removal of gravel would contribute. However, the flooding issue is bigger than that.

The White Paper of 1999 did actually set out the desirability of setting up a rural forum. This joint committee would be well advised to inquire further into it, as it has a lot to offer. One point I might make to the clerk to the committee and the Chairman is that we would appreciate further development of what we are talking about, as well as further communication with us, to tease out this proposal further and ascertain whether there is merit in it. We firmly believe there is merit in our suggestions. We are not political in any way, other than in attempting to encourage the political system. I believe this is the way forward because we propose a bottom-up approach, a representation of what rural Ireland is about and the repository of knowledge, culture

and way of life that exists in rural Ireland. We want to maintain and build on that and get support for so doing. In this context, we will be asking our Deputies to make representations and to work with us to achieve this rural forum. We have been highly impressed by Pat Spillane's work in the rural commission. It is very worthwhile and a lot of good work will come from it. However, to ensure the continuance of such good work, a forum will be needed.

Vice Chairman: That is something that may well evolve from Pat Spillane's commission. The joint committee will bear in mind the points made by Mr. Doyle.

Mr. James Doyle: Yes.

Vice Chairman: I apologise for my late arrival but I was attending another meeting. I have relieved the Chairman to enable him to attend a third meeting. Even though the witnesses are from County Kerry in the south of the country, as I entered the room they were speaking on issues I hear about on a regular basis and I am from the heart of north County Tipperary in the midlands. As for the issues to which they referred such as flooding, Deputy Corcoran Kennedy also is from the midlands and we have debated this issue as it pertains to the River Shannon and the River Brosna at committee level. It is something on which the joint committee is working. The issues are the same right across the country, as indeed is the spirit about which the witnesses speak. It is very much alive throughout all counties in rural Ireland through the GAA. I refer in particular to volunteerism and when people are in trouble in the country, the response from the community is absolutely wonderful. We all have experienced tragedies of one kind or another and the manner in which the country people rally around their neighbours and the way they respond to crises is really what the witnesses were discussing today. Every encouragement should be given to that and this is the function of this joint committee. I speak for the members of the joint committee who invited the witnesses to attend today. The clerk has taken note of all the issues the witnesses have raised and members will follow them through at committee level as they also invite other representative groups to debate these issues. Ultimately, the members will compile a report which will be forwarded to the witnesses as well.

Mr. James Doyle: We greatly appreciate the opportunity given to us today. We might ask the joint committee to publish exactly what went on here today because that also would be of help. I expect it will be published anyway.

Vice Chairman: It is automatically published on the website.

Mr. James Doyle: Yes, it will be published anyway. We look forward to further communications with the joint committee and to working with it to help along matters. As the Vice Chairman has just said, there is tremendous energy and activity in rural Ireland, as well as a great number of organisations. This is a pilot project and four different groups are represented here today. We would like to broaden this out to encourage everyone to come on board and work towards a better and more informed future when this comes down to legislation.

Vice Chairman: I am sure every member of the joint committee will support that. Ba mhaith liom buíochas a ghabháil leis na finnétithe a tháinig anseo inniu agus a thug cúnaimh dúinn inár bplé. I thank Mr. O'Connell, Mr. O'Sullivan, Mr. Doyle, Mr. Kelly and Mr. McCarthy for their attendance. All their evidence and advice to the joint committee will be noted and acted on by its members.

Mr. James Doyle: I thank the Vice Chairman.

The joint committee went into private session at 3.50 p.m. and adjourned at 3.55 p.m. until

JOINT COMMITTEE ON ENVIRONMENT, CULTURE AND THE GAELTACHT

2.25 p.m. on Tuesday, 5 March 2013.