



DÍOSPÓIREACHTAÍ PARLAIMINTE  
PARLIAMENTARY DEBATES

**SEANAD ÉIREANN**

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

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## SEANAD ÉIREANN

*Dé Céadaoin, 16 Feabhra 2022*

*Wednesday, 16 February 2022*

Chuaigh an Cathaoirleach i gceannas ar 10.30 a.m.

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*Machnamh agus Paidir.  
Reflection and Prayer.*

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### **Gnó an tSeanaid - Business of Seanad**

**An Cathaoirleach:** I have received notice from Senator Micheál Carrigy that, on the motion for the Commencement of the House today, he proposes to raise the following matter:

The need for the Minister for Health to make a statement on the relocation of the Phoenix Centre in Longford.

I have also received notice from Senator Malcolm Byrne of the following matter:

The need for the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media to make a statement on the introduction of a basic income scheme for artists.

I have also received notice from Senator Seán Kyne of the following matter:

The need for the Minister for Housing, Local Government and Heritage to make a statement on fire services infrastructure in Galway city.

I have also received notice from Senator Rónán Mullen of the following matter:

The need for the Minister for Finance to consider whether changes to consumer law are necessary to reinforce the right of consumers to insist on using cash as payment for goods and services.

I have also received notice from Senator Tim Lombard of the following matter:

The need for the Minister for Education to make a statement on plans in place to accommodate students sitting State examinations in June who are deemed to be a close contact of a person who has tested positive for Covid-19, specifically those who have not yet received a booster vaccine.

I have also received notice from Senator Martin Conway of the following matter:

The need for the Minister for Health to provide an update on resourcing at the adult metabolic service in the Mater Hospital and resourcing for response testing to new innova-

tive therapies for phenylketonuria treatment.

I have also received notice from Senator Barry Ward of the following matter:

The need for the Minister for Social Protection to make a statement on the supports available under the treatment benefit scheme towards the costs of wigs and hair pieces.

The matters raised by the Senators are suitable for discussion. I have selected those raised by Senators Carrigy, Byrne, Kyne and Mullen and they will be taken now. The other Senators may give notice on another day of the matters they wish to raise.

## **Nithe i dtosach suíonna - Commencement Matters**

### **Disability Services**

**Senator Micheál Carrigy:** Today, I will speak again about the Phoenix Centre, which is located in what was the old Mount Carmel Hospital on the grounds of St. Joseph's Care Centre in Longford. The building was built in 1844. The rest of the buildings on the original site were demolished in the 1960s and a new purpose-built building, which is today called St. Joseph's Care Centre, was built. The building is being upgraded. The Phoenix Centre is located in the building and is the base for Disabled People of Longford, early intervention services and school-age teams. Basically all speech and language or occupational therapy and psychology services for people in Longford are based in this building and it is not for purpose.

I spoke on this matter in November 2021 when waiting lists for services numbered 600 children. Only recently, I met the Minister of State at the Department of Health, Deputy Rabbitte, at the centre. Over 700 children are now on waiting lists for services while over 200 children are waiting for assessments of need. There is only half a speech and language post, which is unacceptable for the people in my home county, particularly parents and families.

Staffing needs to be put in place. I am very confident following my meeting with the Minister of State, Deputy Rabbitte, and HSE officials. A commitment was given that extra staff and resources would be put in place to deal with many of the issues. The reality is that it is on the second storey of a building that is 180 years old. It is not fit for purpose. There has been a lack of investment put into that building because of discussions to build a new purpose-built centre, or relocate to a new purpose-built Phoenix Centre, which is badly needed.

First of all, I want to put on the record that I thank the Minister of State, Deputy Rabbitte, for coming, meeting with parents and finding out what the issues are on the ground with regard to services, etc. in the county. We also spoke on the lack of overnight respite for families and children in the county. There has not been respite in the county for nearly six years. I am very confident that we will make positive moves with regard to that and have something permanent put in place at some stage later on this year.

The people of Longford, the children and the families deserve a proper service for the children in our area. We need it to be located in a building that is fit for purpose. The reality is that

this building is not fit for purpose. It is on the top of a hill and a person can hardly park their car when they go to it. It is not fit for purpose for anyone with any sort of a disability to access. I just want to get a commitment from the Department. There have been discussions going on for a long time on this. When will a building that is fit for purpose be put in place for Longford?

**Minister of State at the Department of Health (Deputy Frankie Feighan):** I wish to thank the Senator for raising this important matter today. The Phoenix Centre in Longford is utilised for both adult and paediatric services, including a day respite service for adults aged 18 to 65 years; a children's disability network team providing therapeutic family-centred clinical assessments and interventions for children with complex needs; and providing support to the carers, service providers and the local community with the emphasis on sharing resources, skills, knowledge and expertise.

The HSE has advised that community health organisation, CHO, 8 is developing plans to relocate certain services to Ballyminion, including the children's disability network team. The HSE advises that work continues on progressing the proposed relocation, although it is not currently in a position to advise on a likely date for the relocation of the services. While awaiting this new accommodation, the Phoenix Centre has been made as suitable as possible to meet the demands of the services for children and adults with a disability in Longford, through a series of initiatives, such as the booking of all existing therapy space; the upgrading and reassignment of existing centre space, including the waiting areas to support the staff teams; and the booking of suitable external accommodation in order to provide for medium-to-large group or family training programmes. These initiatives are ongoing in line with health and safety policies and infection control guidelines. In addition, the HSE advise that analysis of all 12 networks in the CHO 8 region is ongoing to identify medium- to long-term options, which would provide a higher standard of accommodation for all network teams.

As I am sure the Senator is aware, capital spending in disability services in recent years has quite rightly focused on the continuation of the decongregation process leading to an unprecedented level of investment in disability services, with an investment of €100 million for new initiatives in 2021. The increased level of funding will enable the HSE to build on initiatives currently under way, including the decongregation programme, with a renewed focus on assisting people to move out of congregated settings to homes in the community. I am pleased to inform the Senator that CHO 8, in which Longford is located, received €10.4 million between 2016 and 2021 to fund decongregation projects. This level of funding was the second highest amount allocated to a CHO in that period. This spend resulted in 17 new decongregation units being completed in that time. This benefited 65 people moving from a congregated setting to independent living between 2018 and 2021 in the CHO 8 region, which is a significant achievement. I trust this clarifies the matters raised.

**Senator Micheál Carrigy:** To be honest, this does not clarify the matter raised. It does not answer the question I asked. While I welcome the investment of €100 million for initiatives and I welcome the fact that there is significant funding into the CHO area, CHO 8 actually covers six counties - Longford, Westmeath, Laois, Offaly, Louth and Meath.

The reality is that we are providing the previously listed services in a building that was built in 1844 and is not fit for purpose. As I said, we have a serious need of extra services in our county, based on the list I was given of over 700 people and children waiting on various services. There are more than 200 children waiting on assessment of need.

As I said, we do not have a building that is fit for purpose. That is the question I wish to clarify. When will we in Longford get the proper building and facility that we need and deserve for the people of our county? To be quite honest, I would just like this to go back to the Department because this does not clarify what I have raised. I would ask it to clarify that for me and the people of Longford.

**Deputy Frankie Feighan:** I thank the Senator for raising the issue of the building not being fit for purpose. I will bring his concerns back to the Minister of State with responsibility for disabilities, Deputy Rabbitte. This Government will remain focused on providing the best services we can for children and adults with disabilities, whether it be therapeutic interventions, day services fit for the 21st century, independent living supports or respite or residential care, while keeping the health and well-being of people with disabilities as our utmost priority.

The Senator outlined that he needs a proper building and a facility. In one of my early statements, the vision for provision of disability services for people of all ages in the coming years was ambitious. In conclusion, I want to assure the House that the Minister of State, Deputy Rabbitte, remains fully committed to that objective. The Government has allocated additional funding for overdue assessments. Hopefully, I will bring the Senator's concerns to the Minister of State this afternoon.

### **Artists' Remuneration**

**Senator Malcolm Byrne:** I thank the Minister of State, Deputy Feighan, for taking this issue. As we know, during past two years, among those who have been most heavily affected and impacted have been our artists, musicians and those who are involved in the events and creative sectors. It is not just because of a loss of income, but for many of them being unable to perform or engage in artistic works has impacted as well on their identity. It is important that this scheme is right.

I know that it is a commitment of the programme for Government. It is something the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin, is personally very keen on and, indeed, across the House the support for the arts is very visible. I am aware the Minister set aside €25 million for the scheme this year. I am hoping the Minister of State, Deputy Feighan, will be able to provide us with some updates on the scheme. I genuinely believe that if we get this scheme right in terms of supporting artists and we can pass out the *intermittence du spectacle* scheme that operates in France to support artists, it could be, perhaps, the most revolutionary scheme since Charles Haughey introduced the tax exemption scheme for artists during the 1960s. It could help to cement Ireland's reputation as a cultural and creative centre.

Consultation took place with a number of arts groups in December and there was an online consultation that took place in January. There is real anticipation among the arts and creative communities around trying to get answers now on how this scheme will operate. I hope the Minister of State will be able to give us details on the plan's roll-out. The indication was that it would be in early 2022. Do we have a timeframe?

Have we, as yet, any indication of who will be covered? The arts and creative industries, as the Minister of State knows, are quite broad, and I would be keen to include dance teachers and choreographers who are working around the country. A very broad range of individuals, includ-

ing musicians, drama directors, set designers and costume designers, are involved in the arts and creative sectors. It is important for the scheme to be a success that it tries to be as broad as possible. Is there any update with regard to the selection process? How is it determined who is going to qualify for this scheme? How will it be qualified? Will there be an appeals mechanism for those who are refused?

I do not know whether the Department has yet measured the level of interest. I can only know by talking to arts organisations and others that there is huge enthusiasm about this. If there is anticipation of the level of interest, and while we do not want to raise too many expectations, can we be certain we are going to meet some of the expectations that have been raised? Crucially also, how do we measure success? How do we know this scheme, which we all want to work, will be successful? For me, it is going to be that we are supporting artists during the fallow period when they are working on creating some of their work, but at the same time they need certainty of an income. What will the relationship be between the artist social welfare scheme that currently exists and this new basic income?

It is an exciting project but it is important we provide as much clarity as possible for those who are anticipating its introduction. The application process should be relatively simple but I would like to see it as a broad scheme, covering as wide a range as possible of those within the creative sector. I have raised this before with the Minister, Deputy Catherine Martin. She is equally enthusiastic, as I hope the Minister of State is. I hope in his response he will be able to give us some of those answers.

**Deputy Frankie Feighan:** I thank Senator Byrne for raising this important matter. The basic income for arts pilot schemes will be delivered by my colleague, the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media, Deputy Catherine Martin. The arts and culture task force, established in September 2020, was tasked by the Minister with producing a report to include a set of recommendations on how best the arts and culture sector could adapt and recover from the unprecedented damage arising from the Covid-19 pandemic. The task force's number one recommendation was to pilot a basic income scheme in the arts for a three-year period. As part of the economic recovery plan, the Minister secured Government commitment for the scheme. The Minister allocated €25 million as part of budget 2022 for the launch of the project.

To progress the pilot, the Minister established an oversight group tasked with appraising the recommendations set out in the Life Worth Living report and to advise on the manner in which the basic income for the arts would be delivered. The oversight group considered that the objectives of the pilot should include minimising the ongoing loss of skills in the arts sector, both artists and creative arts workers, and contributing to the sector's recovery post pandemic, with ongoing social, economic, local and national benefits.

The Minister published the report of the oversight group in January and recommended that the Department of Tourism, Arts, Culture, Gaeltacht, Sport and Media should take responsibility for the operational delivery of the pilot; that the Department should develop an ongoing research and evaluation programme for the duration of the pilot; that the pilot should focus on professional artists, including developing artists, to ensure artists have the opportunity to focus on their creative practice; that creative arts workers should be eligible, that is, those working in the sector who have an essential creative input into the final output of an artist's practice, for example, screenwriters and directors; that participation in the pilot should be a non-competitive process, which would mean once a person could satisfy the eligibility criteria, he or she would be included in a randomised selection process; and that a control group of unsuccessful but

eligible applicants should be established to collect data to underpin a comprehensive *ex post* appraisal of the pilot.

These proposals were put by the Minister to a stakeholder forum last December which was attended by more than 150 artists and representatives from 50 resource and representative bodies from the arts sector. Following that, the Minister launched a public consultation on the pilot scheme during January. I understand the Department has received a significant number of submissions to the public consultation, reflecting the high level of interest in this new policy intervention. A report on the consultation will be released shortly and the Minister intends to consider the outcomes of that consultation as she finalises the pilot scheme. The purpose of the consultation was to ensure the public, artists and those working in the arts and culture sector have the opportunity to contribute to the policy development for the pilot on key issues such as objectives, eligibility criteria and how to support emerging artists.

Work on finalising the eligibility criteria and online application portal is progressing well on the basic income for the arts pilot. As the consultation process on the policy is just concluding, the launch date for the basic income for the arts pilot scheme has not yet been finalised, but the Minister intends to make an announcement in the coming weeks. The Minister is a fierce advocate for the value of the arts in this country and feels privileged, as Minister for Tourism, Arts, Culture, Gaeltacht, Sport and Media, to be in a position to deliver this pilot and to have secured the Government's commitment for a three-year basic income pilot scheme for the arts. The delivery of the pilot is a key priority for the Minister to underpin the recovery in the arts and culture sector and provide much-needed certainty to the artists and creatives who choose to avail of the pilot scheme.

**Senator Malcolm Byrne:** I might suggest by the response, and I appreciate it has been provided to the Minister of State by the Department, that if this was a drama, he was trying to lead up to the denouement, because some of the language being used, such as “will be released shortly”, “as she finalises the pilot scheme”, “work on finalising is progressing well”, “the policy is just concluding”, and “has not yet been finalised but there will be an announcement in the coming weeks”, provides us with these teasers that have been provided to us in many ways over the past year. It is important there is ongoing consultation with the sector so that the final scheme reflects the process of both the direct consultation and the online consultation. It is important, and I hope Deputy Feighan will bring this back to the Minister, that we get clarity on this very soon, and I will note her response in the coming weeks. It is also key, however, that we try to be as imaginative and ambitious with this scheme as possible. It will send out a very clear signal to our artistic and creative communities throughout the country of the importance of that sector and about how we recognise the contribution they make economically and socially to this country.

**Deputy Frankie Feighan:** I thank Senator Byrne for his interesting response. As I have stated already, the Minister and her Department are examining the responses to the public consultation in tandem with suggestions received as part of the stakeholder forum. She will finalise the eligibility criteria and application form in the coming weeks.

The basic income for the arts pilot scheme will run over a three-year period. The intention is to research the impact a basic income would have on artists' and creatives' working patterns by providing opportunities to focus on their practice, to minimise the loss of skills from the arts as a result of the pandemic, and to contribute to the sector's gradual regrowth post pandemic.

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I am sure the Senator will agree that such a significant and important policy intervention takes time to operationalise. The Minister hopes to announce the launch and details of the basic income for the arts pilot in the coming weeks. The Minister will also shortly release the report on the public consultation. Stakeholder engagement is core to the policy. I appreciate the Senator's interventions and hope that the Minister will be in a position in the coming weeks to have some good news.

**Acting Chairperson (Senator Emer Currie):** I thank the Minister of State. Is the Minister of State, Deputy Burke, available? No. We are going to change the order of the Commencement matters.

**Senator Rónán Mullen:** He can take my matter if he wishes. On past performance it does not matter who does. It is not the Minister of State's fault.

**Deputy Frankie Feighan:** No problem.

**Senator Rónán Mullen:** There should be a penalty for bad art as well. With rights go responsibilities.

**Acting Chairperson (Senator Emer Currie):** It is the Minister of State, Deputy Thomas Byrne.

### Consumer Rights

**Senator Rónán Mullen:** I welcome the Minister of State. He has just missed a very interesting Commencement matter on the subject of a basic income for artists. I was going to say that I hoped that the proposal I had not too long ago, that the loophole or the abuse of the artist's tax exemption, might help pay for such a basic income. However, that is not my matter here today.

*11 o'clock*

There should also be penalties for bad art. If we consider Agriculture House and what was there before it, it would make one wonder what some of our creative people get up to and how much of a debt we owe them.

On the subject of cash payments, one of the many changes Covid-19 has brought to our lives is the huge increase in payments by card, particularly contactless payment, rather than by cash. Those who would never have dreamt of paying for small amounts by card now happily tap for convenience. We are all carrying far less cash than we did two years ago. According to the main banks, automatic teller machine, ATM, withdrawals are down approximately one third compared to 2019 and card payments are up approximately one fifth. This is positive in some ways. Not only is it more sanitary but it reduces the amount of cash that gets lost or that can be stolen, as well the security costs for banks and businesses of transporting it.

However, there are significant downsides. The Consumers' Association of Ireland, CAI, warned recently that there is an increasing trend whereby businesses, in many cases, retail businesses, are now refusing to take cash and will only accept payment by card. This poses serious problems for many citizens, particularly people on limited budgets, low incomes or social welfare. Older people, not all but many, are culturally adapted to using cash and it helps them



to manage their household budget. We always encourage people of whatever age to keep their savings in banks and not to keep large amounts of cash in their homes, particularly in the wake of the horrific robberies we have heard about recently.

In response to the CAI's comments, the *Irish Independent* stated the position of the Central Bank to be: "Consumers will continue to be able to use cash and will not be forced to use electronic payments." However, that just does not seem to be the case. As we know, there is often a big difference between what State agencies say and what the law actually provides. The Minister for Finance recently outlined to Deputy Nolan the legal position on this, which is:

If a business specifies in advance ... that payment must be in a form other than cash, the customer cannot subsequently claim a legal right to pay in cash. Therefore, under certain circumstances, retail businesses or service providers can refuse to accept payment in cash.

I wonder whether that recent statement by the Minister completely undercuts the position of the Central Bank.

I would like to draw the attention of the House and of the Minister of State to the European Commission 191/2010, on the scope of legal tender of euro banknotes and coins signed by Mr. Ollie Rehn. He was a regular visitor to those shores a decade ago, and by the sounds of it he liked to pay for things in cash while he was here. The recommendation states:

The acceptance of euro banknotes and coins as means of payments in retail transactions should be the rule. A refusal thereof should be possible only where (for example, the retailer has no change available)."

A recommendation is not binding law, as we both know, but it is a statement of best practice and Ireland, clearly, appears to be diverging from it.

I would be grateful if the Minister of State could clarify the right of people to use cash for payments? Can they insist on doing it or not? Is this issue currently governed by statute or it is a simple matter of contract under common law? Which recent statement on this was correct: that of the Minister or the position of the Central Bank? How do we reconcile the contradiction? What is the position of the Government on the Commission recommendation, to which I referred, on the scope of legal tender of euro banknotes and coins? I do not think we are in compliance at present. Should we be looking at ways to amend consumer law to allow citizens to pay for goods and services in cash if they wish to do so, or in almost every circumstance, to ensure that business cannot refuse cash in any blanket, capricious or arbitrary fashion? Perhaps at least in area of small retail transactions, this needs to be regulated.

**Minister of State at the Department of Foreign Affairs (Deputy Thomas Byrne):** Before I respond, I echo what the Senator said about the advice to people not to keep cash at home, notwithstanding the issue with the legal status of cash he has raised, because it is not safe and there are rules and provisions for bank accounts to be opened if people do not have them.

I thank him for raising this issue. It is 20 years this year since we as Europeans held a brand new currency in our hands - the euro. The changeover from 12 national currencies to the euro was a one-of-a-kind operation in history: the European Central Bank, ECB printed 15 billion euro banknotes and 52 billion coins were minted at that time. Over the past decade, we have seen a shift in the way consumers and businesses pay and bank. While historically Ireland has been a relatively cash-intensive economy significant progress has been made and there has been

a rapid increase in the take-up of electronic payments.

Under the European Union payment accounts directive, which was transposed into Irish law in 2016, all Irish banks must make available a basic bank account for people who currently do not have a bank account. The basic bank account is free of charge for everyday banking services for the first year.

As the Senator said, the Covid-19 pandemic has also acted as a catalyst for the move towards digital payments and the move away from cash. The most recent Central Bank of Ireland statistics on debit and credit cards, published at the end of January, highlights that in December 2021 the volume of ATM transactions was 2% lower than compared to December 2020 but 31% lower than December 2019.

Notwithstanding a significant increase in the take-up of electronic payments, cash remains a vital part of the Irish payment system. A study, conducted by the Department of Finance in 2018, concluded that a fully cashless society would not be an appropriate objective.

In September 2020, as part of the EU digital finance package, the European Commission published the retail payments strategy. One of the key aims of the strategy is to maintain access to, and acceptance of, cash across member states. The strategy recognises the importance of ensuring there is continued access to cash and the increased use of digital payment methods does not lead to the type of financial exclusion to which the Senator referred.

In accordance with Article 128 of the Treaty on the Functioning of the European Union and Council Regulation No. 974/98 of 3 May 1998 on the introduction of the euro, euro notes and coins have the status of legal tender in euro area member states, including Ireland.

The Senator referred to Commission recommendation 191/2010 on the scope of legal tender of euro banknotes and coins, which provides the acceptance of euro banknotes and coins as means of payment in retail transactions should be the rule but that a refusal thereof should be possible in certain circumstances, for example, if the retailer has no change available. However, as the Senator said, the Commission recommendation is a recommendation and not a binding legal requirement.

Retail transactions are governed by contract law in Ireland and, in this context, where a business places no restrictions on the means of payment it is prepared to accept, it must accept legal tender when offered by a customer to settle a debt that has arisen. However, if a business specifies in advance of a transaction that payment must be in a form other than cash, the customer cannot subsequently claim a legal right to pay in cash, even if that cash is legal tender. This can be achieved, for example, by displaying signs at the till or at the store entrance. Therefore, under certain circumstances, retail businesses or service providers can refuse to accept payment in cash once they have advised the consumer in advance of the transaction.

**Senator Rónán Mullen:** I thank the Minister of State for his reply. It is very comprehensive except to the extent that it does not specify what the Government's view is on what is happening. It is quite clear that non-acceptance of cash should only be in exceptional circumstances if the retailer has no change available. It cannot be the case that one could be in compliance with the recommendation if one never has any change available. The Minister of State has rightly set out the contractual position but the question is: ought it to be the law that businesses should always be ready to accept cash and only in exceptional circumstances where they have no change should they be allowed to refuse it?

I have a certain suspicion that it suits the Government to allow people to be gently pushed towards payment by card. It reduces the potential for the black economy and the under-reporting of transactions. Certainly, the increase in card payments is surely linked to the very impressive VAT returns for 2021, which exceed the VAT returns for 2019, which is incredible when we consider large sections of the economy were shut or restricted during 2021. However, we should not use the behaviour of a small section of society who engage in the black economy to penalise law-abiding consumers who wish to use cash, particularly vulnerable customers. If we keep the focus on the customer, particularly the vulnerable, should the Government not move to legislate in this area to create a requirement that in all but exceptional, undesired and accidental circumstances, cash would have to be accepted?

**Deputy Thomas Byrne:** I again thank the Senator for raising this issue. Certainly, it is an important matter for consumers, businesses and the State, as alluded to by him. The Commission recommendation is in place but, as he agrees, it is a recommendation and not a legally binding law. Retail businesses under current law can refuse to accept payment in cash, once people are told beforehand.

I am not the Minister for Finance but I do not know of a legal impediment for the Senator to bring forward Private Members' legislation on the issue. I assume that would not be in breach of European law because the recommendation is in place. In fact, what he is proposing would be in line with the recommendation. However, as a matter of current law and the Government position, I have set that out in this reply.

**Senator Rónán Mullen:** Would the Minister of State take a suggestion back to the Government that it might use its ample amount of Government time to legislate in this area?

**Deputy Thomas Byrne:** I certainly will pass that on to the Minister.

**Senator Rónán Mullen:** I thank the Minister of State for that.

## **Fire Stations**

**Senator Seán Kyne:** I welcome the Minister of State and thank him for attending. I acknowledge the important and life-saving role carried out by our fire personnel in Galway city and county, and across the country. Whether it involves fires, road traffic accidents or river rescues, it is vital life-saving work and sometimes, unfortunately, recovery. I know that fire personnel see some harrowing scenes in their daily work.

Proper facilities are the least we can provide for our fire personnel. The Minister of State's Department has done significant work throughout the country and in the capital plan to support local authorities in the provision of fire appliances and stations. In Galway city, the fire station on Father Griffin Road is of its age and era. It has been described as archaic. The site has flooded in the past, does not have training facilities and is too small. There is broad agreement that a city the size of Galway, with a growing population of 80,000 and which is projected to grow under the national planning framework, needs a new fire station. It needs a purpose-built, state-of-the-art, fit-for-purpose facility with proper training space. The city council, in conjunction with the county council which leads on fire services for the city and county, is engaged in an ongoing effort to find a suitable site within the city environs, preferably on city council lands. Sites have been suggested near Bóthar na dTreabh, which has appropriate access to the road

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network in the city. The site at Father Griffin Road may be retained, subject to assessment, as an ancillary site for the immediate locality, especially as it is in the heart of the city and proximate to the River Corrib, which flows through the city. I understand the Corrib is one of the fastest flowing rivers - if not the fastest flowing river - in a city environs in Ireland and possibly across Europe.

We know the important work that our fire personnel do in life saving and recovery. The facility in Father Griffin Road is not fit for purpose. Galway city is a growing centre of population. We need room to expand and a fit-for-purpose and modern facility for the people of Galway. Indeed, the existing fire service also provides cover for areas in south Connemara. There is a new fire station in south Connemara. I was pleased to work with local groups to deliver that facility through the county council and the Department of Housing, Local Government and Heritage. We now need to look at a proper fit-for-purpose building for Galway city.

What engagement has the Department had with Galway County Council, as lead agent on behalf of the city and county, on identifying and acquiring a site? Will financial support be provided to build a fit-for-purpose site, subject to planning permission and all that goes with that? What engagement is the Department having with chief fire officer in Galway to push the project forward? I know the Department has done a lot of work and is working with the council on the construction of fire stations in Loughrea and Athenry. However, Galway city, with a population of its size, needs a new, modern, fit-for-purpose facility to enhance the services it provides for the city and its environs and its engagement with other fire services in the county. I look forward to hearing the Minister of State's response.

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy Peter Burke):** I thank the Senator for raising this most important matter today and in recent weeks and months. I am aware that my officials have been liaising with Galway City Council on this matter in recent days on foot of the Senator's representation and intervention. The provision of a fire service in its functional area, including the establishment and maintenance of a fire brigade, the assessment of fire cover needs and the provision of fire station premises, is a statutory function of individual fire authorities under the Fire Services Acts 1981 and 2003. The Department supports the fire authorities through setting general policy, providing a central training programme, issuing guidance on operational and other related matters and providing capital funding for equipment and priority infrastructural projects.

In December 2020, a new fire services capital programme was announced for the period 2021 to 2025, with a funding allocation of €61 million. Following extensive engagement with fire authorities, a number of proposals for station works were received. The proposals were evaluated and prioritised on the basis of the area risk categorisation of the fire station, established health and safety needs, state of development of the project and value for money offered by the proposal. The new programme will see six replacement fire stations built, continued support for the construction of a further 12 new fire stations, nine fire station refurbishments, as well as the allocation of 35 new fire engines. Galway is one of the counties to have been allocated an appliance, at an approximate cost of €450,000. A new fire station for Athenry in County Galway is also included in the capital programme 2021-25.

My Department works closely with the relevant local authority to progress each fire station project through the necessary stages. Project consideration stages include submission of preliminary and detailed appraisals; submission of design brief; selection of site; application for approval in principle; appointment of design consultants; submission of a preliminary de-

sign; planning application; submission of preliminary cost plan, detailed design and cost plans; tender process; and construction stage. In order to maximise the available capital programme funding, the Department reassesses the status of projects in the programme on an annual basis, and some flexibility is normally available to advance projects that are ready and offer best value for money, taking account of the state of readiness of projects more generally.

The Department is aware that at present, Galway city fire station is operating in temporary facilities. The Senator has outlined very clearly the urgency attached to that. It is my understanding that Galway City Council is working with the fire services in Galway city to identify an appropriate site for a headquarters station in the city. When an appropriate site is identified and if the potential project is submitted to my Department for funding, the project will be evaluated urgently for inclusion in the capital programme as outlined.

I know this issue of critical importance to the Senator. As I said, he has raised it with me a number of times in recent weeks. We are now awaiting a submission from the council. I can commit to the proposal being given serious consideration on the basis of the strong argument the Senator has made regarding the provision of a new facility. The Senator has pointed out that we are facing two very difficult weather events in the coming days and in the week and a half ahead. Our fire service is always on the front line, protecting citizens and the most vulnerable. We need to be at the forefront of assisting the service. The Senator has made an excellent case for the development of a new facility in Galway city.

**Acting Chairperson (Senator Aisling Dolan):** I thank the Minister of State. His comments on the fire service are very true.

**Senator Seán Kyne:** I thank the Minister of State for his positive reply. I am sure that on his next visit to Galway city and county, he will be happy to meet the relevant personnel to discuss a fire service facility for Galway. I invite him to do so.

The Minister of State mentioned the project consideration stages. When they are all listed we can see that it is a long process to get a new building delivered. The stages include submission of preliminary and detailed appraisals; submission of design brief; selection of site; application for approval in principle; appointment of design consultants; submission of a preliminary design; planning application; submission of preliminary cost plan, detailed design and cost plans; tender process; and construction stage. The project in Galway is therefore one that will run for a number of years. However, we need to get the site identified and get a submission from the local authority to the Minister of State's Department. I am sure the Minister of State, together with his officials, will be able to evaluate and progress the project as quickly as possible for the city of Galway and its environs. It is a growing city, as the Minister of State is aware. I know that he is a regular visitor to the Galway races. It is a popular place. There is a hospital, a university and an institute of technology in the soon-to-be Atlantic Technological University. The city has a large population and road network. It is vital that our fire services are fit for purpose and modern. I urge the Minister of State to take hold of this project when it reaches his Department from the county and city councils.

**Deputy Peter Burke:** I thank the Senator for his intervention. As a former student of NUI Galway, I know the city very well. This is of critical importance, and that is why officials from our Department met with the chief executive of Galway City Council when this issue was raised. We assured him that once a site is found and an application is brought forward, we will give it the attention it deserves. These things take time, however, and we must be honest about

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this point in respect of the different stages in the process. We will, though, give this the attention required. As the Senator correctly said, our fire service is critical in keeping us all safe as we go about our daily lives. The service is often taken for granted, but those of us in public life know how important it is because we meet so many people who have been protected by it. I assure the Senator, therefore, that we will follow up on this issue and I will be happy to meet with the various stakeholders on a visit to Galway city and county.

*Cuireadh an Seanad ar fionraí ag 11.21 a.m. agus cuireadh tús leis arís ag 11.30 a.m.*

*Sitting suspended at 11.21 a.m. and resumed at 11.30 a.m.*

### **Gnó an tSeanaid - Business of Seanad**

**An Cathaoirleach:** I welcome the ambassador of Lithuania to the Chamber. Today commemorates the declaration of independence, which was signed in 1918 and re-established the state of Lithuania after nearly 150 years of Tsarist Russian occupation. Another Lithuanian national day will be celebrated on 11 March and it marks the country's independence from the Soviet Union in 1990. Ireland never recognised the annexation of Lithuania by the Soviet Union.

The Lithuanian community is the second largest in this State. The Lithuanian Association in Ireland has been active since 1999. Along with more than 30 other organisations, clubs and sporting clubs, it organises gatherings, concerts and other events in Dublin, Cork, Monaghan, Portlaoise, Tullamore and other locations around Ireland. There are 15 Lithuanian weekend schools all over the country, and Lithuanian is taught in some Irish schools. This year, we celebrate more than 30 years of diplomatic relations between Ireland and Lithuania. The two countries have a close and friendly relationship. The Lithuanian Embassy opened in Ireland in 2003, and the ambassador, H.E. Marijus Gudynas, arrived here in 2020.

Last year, 27 members of the newly-elected Lithuanian Parliament, about 20% of the total membership, formed the Group for Inter-Parliamentary Relations with Ireland. Members of the friendship group are here today, led by Deputy Cormac Devlin. We look forward to deepening the interparliamentary relationship with Lithuania. I wish the ambassador, all our friends in Lithuania and all Lithuanians, including those living in Ireland, and the Irish people living in Lithuania a very happy and safe Independence Day. *Su laisvės diena, Lietuva.* I thank the ambassador for being here today.

I ask the Acting Leader to outline the Order of Business on this Lithuanian Independence Day.

**Senator Fiona O'Loughlin:** I add my voice of welcome to the ambassador and Deputy Devlin, and thank them for visiting us in the Seanad. I wish all Lithuanians living here well on their national day. I have the opportunity of serving on the Council of Europe, along with my esteemed colleague, Senator Joe O'Reilly, and we work very well with the Lithuanian delegation. We look forward to welcoming them in the context of 30 May, when Ireland's presidency of the Council of Europe will start. We may get to see the ambassador then.

I also extend our sympathies to Brian Mullooly, former Senator and Cathaoirleach, on the passing of his wife, Nancy. She is being laid to rest today, and we are thinking of the Mullooly family in their time of bereavement.

## **An tOrd Gnó - Order of Business**

**Senator Fiona O'Loughlin:** The Order of Business is No. 1, motion regarding the report of the Joint Committee on Agriculture and the Marine entitled Issues impacting the Forestry Sector in Ireland, to be taken at 1 p.m., the time allocated to the debate not to exceed two hours and in accordance with Standing Order 78, the Chairperson of the committee, being a Member of Dáil Éireann or another Member of Dáil Éireann nominated in his or her stead, may attend and speak to the motion and may take a seat on the floor of the Seanad Chamber; No. 2, Private Members' business, Planning and Development (Solar Panels for Public Buildings, Schools, Homes and Other Premises) (Amendment) Bill 2021 – Committee Stage, to be taken at 3.30 p.m. and to adjourn at 5.30 p.m., if not previously concluded; and No. 3, the Animal Health and Welfare and Forestry (Miscellaneous Provisions) Bill 2021 - Committee Stage, to be taken at 5.30 p.m. and to adjourn at 7.30 p.m., if not previously concluded.

**Senator Denis O'Donovan:** I join in the welcome to the Lithuanian ambassador. Cuirim fáilte roimhe. I had the pleasure in my previous life as Cathaoirleach to visit his country and had an exceptionally good time there. I will not go into details.

**Senator Rónán Mullen:** Please do.

**Senator Denis O'Donovan:** The Cathaoirleach mentioned the Lithuanian community in Ireland. I eat a lot of fish and the man who looks after my fish is a lovely Lithuanian man. If I have a problem I ring him and he makes sure he has fresh cod, hake or whatever is on the menu. Even though the fishmonger is Lithuanian, the fish are Irish. I wish the ambassador well. There are long-standing good relations with his country and I am sure they will continue.

I rise on three issues. I congratulate the Cathaoirleach on an excellent occasion yesterday. It was historic and extremely well done and I was glad to be a part of the event. It does great credit to the Cathaoirleach; to his guest Senator Norris, the father of the House; and to former President Mary Robinson. It was well choreographed, I enjoyed it and it was a significant acknowledgement of the role of the Seanad. It was appropriate and auspicious. Well done to the Cathaoirleach.

This week is Epilepsy Ireland week. I have declared my relationship with that medical condition. I acknowledge that to the House and ask the Acting Leader to arrange a short debate of an hour or an hour and a half on the issue. We should realise there are 40,000 known epileptics in Ireland. It is believed the real amount could be closer to 100,000. It is an unusual condition because it can creep up on the least expected occasion, as I know. It is worth debating and I would like that debate to happen.

I acknowledge and pay respect to the former President, Mary Robinson, with regard to a matter she raised yesterday with the Cathaoirleach as one the Seanad could deal with. That is the area of climate change. It is a burning question, as we all realise. I have grandchildren and would love that they would see in 30 or 40 years' time, when I am in a different situation, that we have looked after our planet and climate. We are making moves in the right direction but, as the former President said, the Seanad, through the Cathaoirleach's leadership, can play a greater role in the area of climate change. We ignore it at our peril. We see it in the waters, seas, land,

changing climates, etc. I would like us to create an impetus on it. Eight years' time is too late. The clock is ticking and, unfortunately, we are running out of time.

**An Cathaoirleach:** I thank Senator O'Donovan for his leadership of the Seanad as Cathaoirleach. The issue he raised in relation to the former President is something the Seanad will take up. We have been set a challenge and need to meet it. A challenge by a former President is something we should listen to.

**Senator Seán Kyne:** On behalf of the Fine Gael group, I welcome the ambassador to the Seanad Chamber. We offer solidarity to a fellow small country and fellow European Union member. These are worrying times in eastern Europe with all that is going on and possible threats between Russia and Ukraine, so we offer solidarity from a small country that has a long history with foreign powers.

I join in congratulations to the Cathaoirleach and his team in the Houses of the Oireachtas for the wonderful launch yesterday of Seanad 100 with Senator Norris and Mary Robinson. It was wonderfully choreographed and introduced. I commend the work done by Mark Mulqueen and the team. It was a wonderful start to a year of engagement and recognition of the role of the Seanad in this State.

I attended with Senator Crowe a wonderful event on Sunday at Renmore Barracks, Dún Uí Mhaoilíosa, in the heart of Galway city to mark the centenary of the handover of the barracks by British forces to the Irish Army. The Army showcased its splendour and wonderful trappings. There was a family day afterwards and a display of military equipment. Over recent weeks, there has been much media engagement on what is going on in terms of this country's defence capabilities. The Russian manoeuvres in our economic zone were, thankfully, pushed out. Questions have been raised about our military capability. The report of the Commission on the Defence Forces was recently published and has been welcomed. It contains 69 main recommendations and 133 in total. It is time for a debate on the issue. I have not read the report in full. It is quite comprehensive. Serious issues are raised about where we are going in terms of our Defence Forces. What plans do we have? What level of engagement are we planning for? A number of options are stipulated in the report. It looks at different levels of ambition. The step-up to level 2 would require an additional €500 million per annum and level 3 would require expenditure of €3 billion per annum. These are serious questions we have to ask and which are worthy of debate. I know the Minister for Defence, Deputy Coveney, is anxious to engage with key stakeholders in the Oireachtas. It is clear that the type of defence capability that we must retain and the level of resourcing we are willing to commit to equip and train our Defence Forces are worthy of debate in the House. The retention of Army personnel is a key issue, particularly in the first three years. It is not peculiar to Ireland but is worthy of debate. I urge the Acting Leader to contact the Minister to arrange a debate on the issue at the earliest opportunity.

**Senator Rónán Mullen:** I too welcome the Lithuanian ambassador and commend his country on its stand in allowing Taiwan to establish an embassy. Many of us support Lithuania in its dealings with China. It has set an example for other small countries. As we say around here, "keep her lit".

Last week, I highlighted the Sinn Féin legislation on so-called safe access zones and how it would ludicrously criminalise somebody for expressing comments in private conversation that are critical of abortion simply if they happen to be made within 100 m of where abortions are happening, for example during a conversation in a coffee shop. To promote this draconian,



fascistic suppression of free speech, Sinn Féin advanced claims about people in Limerick who had engaged in quiet respectful witness on the subject of abortion. We now know these claims to be untrue. Since then we have learned of a breach of journalistic ethics in the way the *Irish Independent* interviewed and reported on a conversation with one of the women involved in quiet prayer near that Limerick hospital. I compliment Gript media on bringing the mistreatment of Ms Antoinette Fitzgibbon to light. The *Irish Independent* journalist in her report left out the clarity with which Ms Fitzgibbon stated she had no prior knowledge of the days and times when abortions took place in the Limerick hospital, an issue central to the claim made by the Together for Safety group with which the journalist was apparently in contact. The journalist invented remarks attributed to Ms Fitzgibbon suggestive of the idea that the pro-life group had knowledge and intent to time their witness along with abortions.

**An Cathaoirleach:** I do not mean to interrupt the Senator in mid flow. He is making statements of fact. This House is about debate but there are mechanisms in which that can be adjudged by the journalistic council and other bodies. I want the Senator to be careful on those issues.

**Senator Rónán Mullen:** I will be extremely careful. The claims made by the Together for Safety group were suggestive of the fact that Ms Fitzgibbon and her group had knowledge and intent in relation to when abortions would be taking place in Limerick. That was not true and the *Irish Independent* has since corrected the article online. It seems to me that the Together for Safety group, the *Irish Independent* and the journalist Ellen Coyne all owe Ms Fitzgibbon and her group an apology for the allegation that was made and the way it was reported. This was despite the journalist getting the interview on the basis of her statement that she wanted to give a fair hearing to the pro-life group. If the shoe was on the other foot and this was a journalist with pro-life sympathies misrepresenting a situation such as this, he or she would be back making coffee and photocopying for a considerable period of time before being allowed to return to the newsroom. It is important that-----

**An Cathaoirleach:** The Senator is aware of our new Standing Orders on referring to events outside the House. While it is quite proper and right to do that, he must be mindful of the Standing Orders.

**Senator Rónán Mullen:** It is also our job as legislators to highlight unfairness, untruth and manipulation, whether in politics, by politicians or by the media. This is our forum to call for fairness for all sides. I have done so and I ask others to reflect on what I have said.

**An Cathaoirleach:** I ask the Senator to please be mindful of all of our Standing Orders. We have them for a reason - for balanced debate in the House and people's right to their good name.

**Senator Paul Gavan:** The words we just heard were, "I compliment Gript media". Need I say any more.

**Senator Rónán Mullen:** You should say a lot more. You should start with an apology for the untruths you passed on in the House.

**Senator Paul Gavan:** There we are.

**Senator Rónán Mullen:** Wherever the truth comes from, let us welcome it.

**Senator Paul Gavan:** I will let the Cathaoirleach deal with it.

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**An Cathaoirleach:** Senators.

**Senator Paul Gavan:** I will not rise to the bait of that nonsense. What I will say is-----

**Senator Rónán Mullen:** Tell the truth.

**Senator Paul Gavan:** I always tell the truth.

**An Cathaoirleach:** Now.

**Senator Paul Gavan:** Seriously.

**An Cathaoirleach:** Please stop interrupting. There is a way of-----

**Senator Rónán Mullen:** I am defending myself since the Cathaoirleach will not.

**Senator Paul Gavan:** He is defending himself. He is defending the Gript media group that deals with spite, hatred and lies-----

**Senator Rónán Mullen:** What about Sinn Féin?

**Senator Paul Gavan:** -----and all of us have been-----

**Senator Rónán Mullen:** What about Sinn Féin killing people and apologising for murder or never apologising for murder?

**Senator Paul Gavan:** -----victims of that poisonous group but here we are. He will not allow me to speak. There we are.

**An Cathaoirleach:** All Senators got the letter on Standing Order 39.

**Senator Paul Gavan:** Yes.

**Senator Rónán Mullen:** If everybody told the truth, there would not be a problem.

**Senator Paul Gavan:** Is that right?

**An Cathaoirleach:** We all know that.

**Senator Sharon Keogan:** Senator Gavan should withdraw those comments.

**Senator Paul Gavan:** No, I will not be withdrawing them.

**An Cathaoirleach:** The Senator can call on him to withdraw them if she wishes.

**Senator Paul Gavan:** Absolutely.

**An Cathaoirleach:** That is under Standing Order 39.

**Senator Paul Gavan:** She can do so every day if she likes.

**Senator Rónán Mullen:** Sinn Féin never apologises. That is the point.

**An Cathaoirleach:** On the Order of Business, I ask Senator Gavan to continue uninterrupted.

**Senator Paul Gavan:** I thank the Cathaoirleach very much and he might give me a few extra seconds.

**An Cathaoirleach:** I will.

**Senator Paul Gavan:** I want to raise several issues that relate to my village of Castleconnell. The first is the really good news yesterday that Nelson's Cross junction on the R525 will get a table top service. This has been the scene of many accidents over many years. I do not normally raise local issues but I am doing so because this came about as a result of a concerted campaign by locals. Hundreds of signatures were handed in to the Department of Transport. I was privileged to hand in those signatures last month. It shows the result of people power. I compliment all of the people in the village of Castleconnell who signed the petition and did not give up. They were told on countless occasions there would be no point trying to get the safety works completed. It just shows that local democracy can and does work. I compliment the people who kept fighting for this. We look forward to those safety measures being implemented. It has also been a good week in terms of sports funding for Castleconnell Boat Club, Lisnagry Football Club and Aisling Annacotty Football Club.

There has been one bit of bad news. This was the news that our local nursing home, Riverbrook, will have to close. This is significant in terms of jobs but more significant in terms of the excellent service that has been provided for many years. Can we imagine the trauma of residents having to be moved at a late age, which is unfortunately what may well face them if the collective consultancy process does not deliver a survival plan for the nursing home. This raises the fact we have a fundamental problem in the current model and how we support the elder care sector. It is very important we have a debate on this issue to speak about how it is funded. Clearly it is not funded enough at present. Riverbrook has the very best standards, and we must also debate how we ensure we have the best standards across the sector. This includes pay and conditions and a voice for workers. This is something we all have to face up to as a society. I urge the Acting Leader to consider a debate on elder care in the near future so we can all contribute to it.

**Senator Annie Hoey:** On behalf of the Labour Party group, I welcome the Lithuanian ambassador to the House. I am surprised to see Senators going at each other in the Chamber. It is not particularly helpful. The vitriol is better left outside the Chamber rather than having it in here. However, I want to put on the record that I have also spoken to people and I believe what they have told me. I see no reason not to believe what they have told me. I want to put this very firmly on the record. I believe Together for Safety and I believe the testimony they have given me.

Will the Acting Leader write to the Minister for Public Expenditure and Reform, Deputy Michael McGrath, and ask him for an update on the secretarial assistant pay issue? When the Minister was in the House last year he told us he would take a recommendation from the commission on the very valid pay claim of secretarial assistants. We all stood in support of this. I understand such a recommendation has been made. I also understand that SIPTU worker representatives are progressing through a lengthy and at times frustrating industrial relations process. This process is something they should not have to go through. They would not need to go through it if the Minister simply adopted the recommendations of the commission. Will the acting leader write to the Minister and ask him whether he has received this recommendation and whether he will implement a policy of equal pay for equal work as he committed to in this House?

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It is no secret the Labour Party has long been banging the drum for flexible work. There is a clear appetite among the public for it. It would be remiss of me not to mention flexibility with regard to the higher and further education sector and learning opportunities and reflect on some of the concerns students have raised with me, particularly disabled students. They are concerned about the inherent ableism in the system and how, over the past two years, we managed to find a way to facilitate students, namely, by remote and flexible learning. Many disabled students benefited from remote learning during lockdown. How will we learn from the past two years about how we can include students in learning settings? Of course there needs to be more training for this, and for it to be a permanent option there need to be more teachers and more equipment. I know staff in the sector are already overworked and underpaid. However, we cannot allow this to be an excuse to return to excluding disabled students, parents or carers from accessing education. The onus has to be on the Minister to ensure funding and resourcing are in place for remote or hybrid learning. Otherwise we will simply have given students a taste of how things could be for them but have decided it is too much bother to facilitate them. That is not good enough.

I was not planning on raising this issue but I want to say when I was on the bus into work this morning there was a kerfuffle over a passenger not wearing a mask. The ethics and morality of the debate aside, and I will not go into those, the abuse that was landed on the bus driver was unbelievable. I could not believe it. There was shouting and roaring. The person was so aggressive, laughing and shoving a phone into the bus driver's face. In the end, the bus driver could not go on driving. We all had to get off the bus and the Garda was called. It was absolutely disgusting how the person spoke to the bus driver. It was rotten. It was really nasty behaviour. No person out working should have to experience it. Solidarity with the workers who are facing this abuse every day. Up the workers.

**Senator Ollie Crowe:** I join my colleague, Senator Kyne, in raising Defence Forces issues. Last Sunday I had the privilege of attending the centenary celebration in Renmore Barracks to honour the 100-year anniversary of the barracks being taken over from the British and the green, white and orange flag being raised. The barracks has always played a huge part in the life of Galway city and in our communities and families. The vast majority of families in Galway city have a close connection to it and have immediate family members or close relatives who served in the barracks at one point or another. Galway is privileged and proud to be an Army town.

It is with regret that I say this morning that the report of the Commission on the Defence Forces published last week reflected what all Members are surely aware of, namely, that the Defence Forces have been weakened significantly over the past decade by continued underinvestment. The Defence Forces have lost many of their most experienced and capable members because of inadequate pay and conditions. The morale of the members has been greatly affected. This is not acceptable. It must be and is a priority for the Government. It must be addressed with urgency. This issue cannot be kicked down the road any further. There are a number of other significant issues in the report that must also be tackled, including the need for a greater focus on cybersecurity and enhanced naval capacity.

My colleague, Senator O'Loughlin, raised this matter in the Commencement debate yesterday. The Minister of State, Deputy Brophy, representing the Minister for Defence, Deputy Simon Coveney, said a four to five month timeframe would be necessary to bring a considered and comprehensive proposal back to the Government. I understand there needs to be examination of the report but as far as I am concerned, a five-month delay before coming back with a

proposal seems far too long given these issues have been raised continuously with all public representatives for years. Surely the Minister and departmental officials are well briefed on them.

*12 o'clock*

I ask the Deputy Leader of the House to raise the matter with the Minister, Deputy Coveney, and to request his attendance before this House at his earliest convenience.

**Senator Paddy Burke:** I ask the Deputy Leader to arrange a debate in the House on the Future of Media Commission report. I understand that this report has been with the Government since last October. It has not surfaced around Leinster House. It has not gone to the joint Oireachtas committee responsible for discussing the report. I ask the Deputy Leader to find out where the report is at this point in time, and to ensure we have a debate on the future of the local media in this House at the very earliest opportunity. It is very urgent that we would have such a debate here. We all know quite well the services that local media provide in our communities. They do court reports and report on sports matches, including hurling, football, soccer and rugby. They bring the news to every community. They advertise for local communities and the activities that take place in local communities. They also publish death notices. We are all aware of these things and, to be honest, we all take them for granted. It is only when a media outlet closes or disappears that we miss them. This particularly affects older people who are not *au fait* with getting all of their news on social media and through their mobile phone networks and so on. They all like to buy the local rag every week. They like to have it in their hand and to read it. I ask the Deputy Leader that at the earliest opportunity, but as a matter of urgency, she would find out where the report is at. It is disgraceful to think that it has been with the Government since last October given all of the pressure that has been put on over a long period of time by Members of this House and the Lower House to actually get a report. It is important that it would be brought to this House immediately and that we would have a debate on it.

**Senator Sharon Keogan:** The universal social charge, USC, has found itself in the spotlight once again. As we look at measures to combat the unsustainable rise in the cost of living, I believe we should be looking at the USC. The USC was introduced at the height of the financial crisis in December 2010 by the late Brian Lenihan of Fianna Fáil to help to shore up a huge hole in the public finances and to replace the income levy and the health levy. The USC now generates a tax revenue of around €4 billion per annum for the State. It is very much a progressive tax. In 2016, when Fine Gael promised to scrap the USC it was the case that 75% of the USC revenue raised, which was €3 billion, came from the top 20% of earners, and 43% came from those earning more than €100,000 per annum. When it was first introduced, it applied to all income over €4,000. The threshold was increased in later budgets and is currently €13,000. The increase in the lower threshold was due to the economy no longer being as dire as it was in 2011. That precedent of raising the threshold is one that can be looked at again. In 2011 we had a 15.6% unemployment rate. Today it is 5.4%. Effectively, two thirds of the people who were unemployed in 2011 are now employed. It is all very well to offer one-off bonuses and payments to try to offset the cost of living, but why not cut out the middleman? Why tax families and individuals and then make a big show of giving a portion of it back to them? Just let them keep their own money. Can we have a debate in this House on the pros and cons of raising the threshold, perhaps to €25,000? This would allow people on lower incomes to retain €500 to €600 annually of their own money and put this towards the cost of living essentials.

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I will conclude by offering my sympathies to Deputy Verona Murphy, whose mother is to be buried this morning. I extend my sympathies from the House. I am very sorry.

**An Cathaoirleach:** I thank Senator Keogan. We send our condolences to Deputy Verona Murphy and all her family.

**Senator Erin McGreehan:** I welcome the publication of the review of the accommodation for victims of domestic violence. Across all parties, Members have been pushing for more refuge spaces and more improvements in domestic violence supports at all levels. I really welcome the publication of that review this morning, which highlights that there will be a new agency to support victims of domestic violence, with priority areas for refuges. More than 50 new family spaces have been announced to be prioritised in Sligo, Cavan, Cork, Longford, Balbriggan and elsewhere. This is movement. This is the Government prioritising the gender-based violence issue and making sure that we have the action plan, the supports and the systems in place when the Government announces in April the third strategy against gender-based and domestic violence. It is so important and all of us across this House and the Lower House have been working on this issue. I congratulate all of my Government colleagues on all of the work that they do and I also thank my Opposition colleagues. This is too big an issue to make politics out of it, and I welcome all of the work that the Government is doing on it.

**Senator Aisling Dolan:** I welcome the €680,000 announced under the rural regeneration funds for Castlerea, County Roscommon. A state-of-the-art food training centre in Castlerea, An Chistin, trains the most amazing chefs and others in the catering business. As well as that, they want to look at food incubator units where start-ups and businesses can come in and start up their business in a place with a lot of support.

I also want to thank the Castlerea enterprise team. They have an enterprise centre that is open from 7 a.m. to 11 p.m., where one can go in and hot-desk. We also have the Enterprise Kiltullagh centre, which is another fantastic high-speed broadband enterprise centre in Ballinlough, County Roscommon. As with the Castlerea enterprises, it is crucial that we support our micro-enterprises. Agrifood is a huge industry in Ireland and it is important to be able to support food businesses. Businesses in the drinks industry have also really taken off we can see how Irish whiskey does so well abroad. When it comes to places like small regional towns, we have a great opportunity to show how we are building on the agriculture and the fantastic farming in local areas and driving local food producers who will also benefit from this type of support.

I thank the Minister, Deputy Humphreys, and the Department of Rural and Community Development. This funding is following on from rural development funding in 2019 of €1.5 million to develop this centre. It is absolutely crucial and I must say well done to the Castlerea enterprise team. I really look forward to inviting all Members in the House to have a fantastic taste sensation in Castlerea, along with the Night & Day music festival that will take place in Castlerea in September.

**Senator Tim Lombard:** We are four weeks away from St. Patrick's Day. Communities up and down the length of the country are putting plans together for St. Patrick's Day parades. One of the big issues we have come across, particularly in the past 48 hours, is St. Patrick's Day parades trying to get insurance. Quotations have been received of anything from €1,800 to nearly €3,000 to cover a parade for the day. This would be for a parade that could last less than 90 minutes. This is a very significant burden on these communities as they try to celebrate and

acknowledge our patron saint. It is a very important day and especially after Covid. It is the first real sign that we can get out there and show our real national identity.

I am very concerned about the insurance levies that have been put on small community organisations. Insurance costs in Ireland have been an issue for many years. They have affected the community base in so many ways. This issue could have a huge impact on how we celebrate St. Patrick's Day. We need real government intervention to make sure we have the opportunity for these community groups to hold their St. Patrick's Day parades. We can do one of two things - we can bring forward a scheme to help groups to pay for their insurance or, more importantly, we can talk to the insurance companies at a national level to make sure affordable insurance costs are brought forward. A quote of €3,000 for small communities in west Cork this morning is not appropriate for insurance for these St. Patrick's Day parades. They are part of our heritage and they are part of what we do. We need to support communities as they try to show what we really do best, which is to celebrate Ireland and our Irish identity.

**Senator Marie Sherlock:** I listened to the Leader on "Morning Ireland" earlier. I am conscious that she is not present and I would obviously prefer to direct my comments to her. With regard to the content of that interview this morning, everybody is entitled to express frustration about how an event is organised but I very much believe that a line was crossed because it was suggested that an advocacy body in this country that receives State funding to ensure it can be an independent voice and a thorn in the side of Government was a State body. There was an inference that, because if it is getting State funding, it should be follow the Government line. That is not acceptable and that crosses a line. The National Women's Council of Ireland, NWC, has worked with people from all parties and none over many years and, if it was not for its work, we would not have seen so much social change in this country over that time. As a member of the Labour Party, I am proud that men in my party have taken women's views seriously but, let us be frank, men in other parties have not always done so. It is the work of the council, which works with women from all parties and none but which is primarily a voice on its own, that has led social change in this country. An inference was drawn with regard to its funding. We have seen this previously. I have raised in this House the matter of veiled threats being made about funding when people on drugs task forces spoke out about State policy. We also witnessed this with regard to An Taisce last year. Crossing that line and making out that independent bodies are not entitled to secure funding should they take a view that is somehow at odds with that of the Government is simply not on. It is important to say that this afternoon.

**Senator Barry Ward:** In the first instance, I congratulate Liath restaurant in Blackrock which was today awarded a second Michelin star. A very small number of restaurants in this country are operating at that level. In fact, there are only four, three of which are in Dublin. Liath is in the suburbs of Dublin, in Blackrock. On the face of it, it is a modest restaurant. It is certainly a small one, with approximately 20 covers. However, it operates at a level of excellence that is remarkable. As we see, Michael's restaurant is opening in Blackrock. I hope it will be at the core of a foodie destination in Blackrock, the likes of which we have in Monkstown and other places in the Dún Laoghaire area. I congratulate Damien Grey and his team on their excellence and hard work, which has borne fruit today with their second Michelin star.

I also wish to raise the identification by the Irish Pharmacy Union of an issue that is coming down the road. There are approximately 6,700 practising pharmacists in this country. We saw how valuable they were in delivering vaccinations during the Covid crisis, which they continue to do. We are very grateful to them. With population growth and the retirement of existing pharmacists, there will be an issue with the number of pharmacists we have in the coming years.

We also have that issue with regard to doctors and nurses. It is important to identify the issue this a far way out because it takes approximately five years to train pharmacists and to get them into a shop and dispensing medicines. When we know at this remove that this problem is coming down the road, it is incumbent on the Government to take action. There are only three pharmacy schools in Ireland. These are in Trinity College Dublin, the Royal College of Surgeons in Ireland, Dublin, and University College Cork. It is high time that we considered establishing a fourth, perhaps in the National University of Ireland, Galway, Maynooth University or University College Dublin. It does not matter where it is. There were 165 trainee pharmacists last year. That only accounts for a 2.4% increase in the number of registered pharmacists. We know this issue is coming and we know we have to take action. Could we facilitate a debate with the Minister for Health to highlight to him the need to put in place another pharmacy school to ensure we have the appropriate number in time?

**Senator Mary Seery Kearney:** I will begin by addressing the remarks regarding the Leader and her interview this morning. I utterly reject the suggestion that any veiled threat was made and any suggestion that the Leader was doing anything of that kind. The fact is that the NWCi is a national body to represent the views, and advance the cause, of women throughout our country. It is not a partisan body or political party. It should conduct itself in a manner that respects the work of women of all political views, not just some. I resent the suggestion that the Leader said anything otherwise. She drew equivalence between Government's funding of that body and its funding of many others throughout this country that stand up and criticise Government. That is part of our democratic State and our desire as a Government and State to be absolutely transparent. We sponsor bodies that critique Government but for the council to turn women's issues into a partisan issue and not to respect the women of this House in the three Government parties, including the Deputy Leader, who do remarkable work every day, is a disgrace, to be perfectly honest.

I have 30 seconds left and will now say what I was actually going to say. I congratulate Our Lady of Hope School in Drimnagh, which opened this morning. It is a special school. A great amount of work was done, most particularly by Margaret Jane Lowndes and Helen Holmes of the Dublin 12 campaign for a special autism school. It was fantastic to see the Minister, Deputy Foley, and the Minister of State, Deputy Madigan, open that school this morning. The work continues. The constituency of Dublin South-Central still needs more schools. The Minister of State, Deputy Madigan, is working on that. Next week, the Minister of State, Deputy Rabbitte, is hosting a meeting with representatives of community healthcare organisation, CHO, 7 and me to discuss the lack of services in Dublin 12 for children with autism. The fight continues. Here are more women in government doing more work to support mothers who are calling out issues. We are doing that all of the time.

**Senator Micheál Carrigy:** I 100% support the comments of Senator Seery Kearney in support of our Leader, my party colleague, Senator Doherty's comments on "Morning Ireland" earlier. They were well said.

I also wish to speak to the issue of third-level education. I would like a debate with the Minister, Deputy Harris, to discuss the future. There are many plans and there are many changes to come in respect of third-level education but the dramatic increase in the cost of living over recent years, and in the past 12 months in particular, is having a significant impact on students and their families. Students are unable to pay high rents and the reality is that, unless students from Longford go to the Technological University of the Shannon, TUS, in Athlone, they will have to travel a distance and pay rent. While I welcome the reduction in transport costs an-



nounced in the past week, the reality is that a significant number of students need a part-time job of at least ten to 20 hours a week if they are to afford to stay in college. We have probably the highest fees in the EU. Postgraduate students may receive a Student Universal Support Ireland grant but they do not receive the monthly maintenance grant, which is unfair. Those students need to be entitled to receive that as well. The cost of living in Ireland is too high. Many people make a decision to travel outside the country to undertake third-level education. It actually costs them less to get a university degree in another country rather than their own. I would like the Minister to come to the House. There are extremely positive changes coming from his Department and he is an excellent Minister. I would like him to come in to discuss the future plans for third-level education.

**Senator Jerry Buttimer:** I commend the Cathaoirleach on yesterday's excellent launch of Seanad100. I wish the initiative every success. I will raise a very important matter. Despite the lifting of Covid-19 restrictions, it has come to my attention that the playing of games, and especially inter-school competitions at primary school level, has not recommenced. This does a huge disservice to the young boys and girls across Cumann na mBunscol schools, particularly in Cork city and county. I pay tribute to Cumann na mBunscol in Cork city and county. I ask the Deputy Leader, all Members and Government to support and advocate for a return to play activity and primary school games for our primary school students. I will refer to Sciath na Scol in Cork. It is an excellent organisation, run by teachers on a voluntary basis, co-ordinating and scheduling games, and giving young boys and girls, the stars of the future, an opportunity to play and represent their clubs, schools and parishes in Páirc Uí Chaoimh and Páirc Uí Rinn and in intercounty games in the Munster championship season. I ask that we invite the Minister of State, Deputy Chambers, and the Minister, Deputy Foley, to come to the House to discuss this. I think we would all agree that we should allow for a return to play in primary school competitions. It is already happening in clubs, where inter-club competition is back, at post-primary level with the Dr. Harty Cup and Corn Uí Mhuirí, and in rugby. Why can it not happen at primary schools? I ask for the House's support with that.

**Senator Martin Conway:** Well done to the Cathaoirleach and to the team here in Leinster House on the lovely event yesterday. We all learned something from it. There was super engagement between our colleague, Senator Norris, and former President and Senator, Mary Robinson. I look forward to an enjoyable Seanad100 over the coming months.

The announcement last week of a 20% reduction in the cost of public transport is welcome. I have spoken on a number of occasions in this House about equality of transport costs and I believe the Seanad should take the lead on it. Fares to travel between Ennis and Limerick or Galway are dearer than between Maynooth and Dublin. What is good for one should be good for everybody. We need equality of public transport costs throughout the country to encourage people to use the network.

On a related matter, many students who are studying in Cork, whether in University College Cork or in other colleges, and people who work in Cork may now be living in places such as Thurles, Limerick Junction, Limerick City, or Ennis, but they cannot get to Cork from anywhere along the Dublin rail line until the first train at 9.40 a.m. If people in college in Cork have a 9 a.m. lecture and want to commute from Thurles to Cork, they cannot do so. I call on Irish Rail to add an extra service between Dublin and Cork that would leave at 6 a.m. and get in at 8.30 a.m. It would facilitate every stop along the line and people from Ennis and Limerick who want to commute to Cork to start their job or college at 9 a.m. Trains from Cork to Dublin leave at 5 a.m., 5.30 a.m. or 6 a.m. I regularly get them myself, connecting from Ennis. Irish

Rail needs to add a service to the Dublin-Cork line, which needs to leave at 5.30 a.m. or 6 a.m. to get people who cannot afford rent or accommodation or who wish to continue to live at home in to do a day's study or work in Cork.

**Senator Garret Ahearn:** I welcome two announcements over the past 24 hours. Yesterday, Cahir, County Tipperary, was announced as being the best location in Europe in which to film. It won the European Film Commissions Network's best filming location award. It is significant for Cahir and especially for Cahir Castle. Films have been produced at the beautiful setting for years, which will only increase over the next years. It attracts tourists to the region, along with the blueway and St. Declan's Way between Cashel and Ardmore, County Waterford. It is significant and I congratulate the Office of Public Works and Eleanor Morrissey, who is the site manager at Cahir Castle.

I welcome the decision by the Supreme Court to uphold the decision about building the cheese plant on the Kilkenny-Waterford border. This plant was meant to be started in 2019 and to be completed this year. It has been held up by constant objections by elements in An Taisce who, for the past number of years, have shown that they are anti-business, anti-farmer and anti-rural. I really hope that today's judgment is the final decision that needs to be made on this plant. This will be a world standard investment in the south east region. Farmers in my community in Tipperary have invested in their herd on the back of this investment. In fairness to Glanbia, it is still committed to doing this even with the increases in costs of building between when it was meant to be built and now. If there had not been as many objections, this would have been built at a much cheaper cost and would be open this year. I welcome that the company will still build the plant and will hopefully complete it by 2024. This needs to be the end to certain elements of An Taisce objecting to serious investment in my region and to farmers in my county.

**Senator Malcolm Byrne:** I raise international students' health insurance. It was one of the first issues that I raised following my election to the Seanad. On 5 March 2021, I introduced a Bill specifically to deal with the issue. At the time, I was assured that the issue was being addressed. There is a problem at the Department of Justice where, as part of the visa requirements for non-EEA students who are here for more than one year, they must purchase a particular form of health insurance. The cost of that health insurance has increased significantly. I believe my Bill would have been one way to address it but I was convinced that work was being done by others to address it. I have discovered that as with any issue that falls between a number of Departments, trying to get a final answer becomes impossible. In this case, it falls between the Department of Further and Higher Education, Research, Innovation and Science and the Department of Health. The blockage now seems to be coming from the Department of Justice.

I tabled a Commencement matter on 9 December, which was replied to by the Minister of State, Deputy Feighan, who said, "Perhaps in two months, or certainly at some time next year, this issue will be resolved." When the Health Insurance (Amendment) Bill came before this House, the Minister of State, Deputy Butler, indicated that there would be positive news early next year on this issue. I have had constant contact with the Departments of Health and Justice without getting a resolution. I ask that the Deputy Leader write to the Minister for Justice on behalf of the House to request clarity on this issue. It is causing much concern for international students and for higher education institutions because they cannot provide the necessary answers.

**Senator Gerard P. Craughwell:** I appreciate the Cathaoirleach letting me speak this af-

ternoon. I want to report a new form of cyberattack that is taking place. I have just been the subject of one. I got a message from AIB on the AIB telephone number this morning, telling me that my card had been used in Manchester and asking me to log on and put my details through. After I looked at the first page, I said that it was not right and rang AIB's fraud department. It is a fraudulent text message, which is going out all over the place. It looks and feels as if it came from AIB. I have been told that it has reset all my security settings and to expect phone calls over the coming days from AIB's fraud department, checking up to update my details and ask me for personal details. I am likely to have a caller to my house, looking for me to hand over my card, as fraud has taken place with my card. The public really needs to know this. The banks have to step up and start making these things very public when they happen. They have to stop hiding behind it and instead let people know as quickly as they can.

I know the Acting Leader has an interest in the military service allowance for soldiers who served for years and retired. I have a letter here from a retired commandant who is 78 years old. He was denied his allowance because a deal was done back in 1990 that cut off entitlement to the allowance and one's pension prior to that date. The Acting Leader and I might raise this together, because I know she has an interest in this herself. We might get to the bottom of it and resolve it. I thank the Cathaoirleach for his forbearance.

**Senator Fiona O'Loughlin:** I thank all Senators who engaged with today's Order of Business. There were a number of very positive comments regarding yesterday's event marking Seanad 100 and thanks expressed to the Cathaoirleach for his leadership in organising that as well as all of the officials. It was lovely to see Senator Norris and former President Mary Robinson engaging with us on the relevance and importance of the Seanad as we move forward.

There were a number of very warm welcomes to the ambassador for Lithuania. Senators wished him well and highlighted the contribution of so many Lithuanian people to our communities and society in Ireland.

Senator O'Donovan raised the issue of epilepsy awareness week, and spoke about his diagnosis and the fact there are a minimum of 40,000 people in Ireland who have epilepsy. He sought a debate on the matter. The campaign that Epilepsy Ireland has maintained over the past week has been good and involves the concept of time, safe and stay. We all need to learn more about all of these conditions because many we represent have them. The Senator also referenced Mary Robinson's comments yesterday on climate change and that we as a Seanad have an opportunity to be leaders in this area. Yesterday, there were debates on climate change and carbon budgets. It was great to see so many interact with those debates.

Senators Kyne and Crowe spoke about Renmore Barracks and the event held last weekend to celebrate their handing over. I saw some of the photographs online and it seemed to be a lovely event. The Senators raised the issues of defence capabilities, the commission and the 69 recommendations many of us have mentioned in the House. There is no doubt we need to have a debate in this House on that report, in particular recruitment and retention. In my view, it should not take five months for the Minister to read the report because there is nothing in it of which he, his officials or his advisers would not be aware. I was in Galway for a march on loyalty about three years ago and had the opportunity to meet many personnel. They are very engaged people, as are all of our Defence Forces personnel around the country.

Senator Mullen spoke about the motion on safe access zones. I wish to correct the Senator because he said it was a Sinn Féin motion. Many across the House from different parties and

none countersigned the motion. It was a motion that was reflective of a majority of Senators within-----

**Senator Rónán Mullen:** Understood. To correct Senator O'Loughlin, it is legislation.

**Senator Fiona O'Loughlin:** I am making a point. There is no need to rehash the whole debate around the Together for Safety group or safe access zones because we had that debate in the House last week. The Minister has clearly indicated he is legislating for that and, in my view, rightly so.

Senator Gavan highlighted the good news for Castleconnell regarding Nelson's Cross junction and sports funding. It is wonderful to see our Ministers providing so much funding around the country. Some €600 million in funding for roads was announced yesterday and €143.8 million in sports capital funding was announced last week. It is important to say that because it is about supporting local communities and volunteers. The Senator made the point that people power is important, and I agree with him. I commend the people of Castleconnell. He also raised the issue of a local nursing home. I do not have any information on that and suggest he request a Commencement matter debate. I have no doubt we will take up the issue with the Minister of State, Deputy Butler. Nursing homes play a significant role in the communities they serve. It important people are in nursing homes in areas close to their families and visitors, now that we are getting back to normal and visits can occur more regularly.

Senator Hoey spoke about the principle of equal pay for equal work, with which we all agree, the need to have flexible work, and the importance of having flexible study situations for people with disabilities. I agree with her. There have been a number of calls for debates on different aspects of higher education, most particularly around the Cassells report. We should ask the Minister, Deputy Harris, to come to the House for a debate. It is one area we can raise with him when he comes here. Senator Hoey also spoke about an incident she experienced today regarding the abuse of a bus driver. It is absolutely shocking. For those who work in our communities, towns and cities, providing a transport system to enable people to get to work, college and school, to be treated like that is appalling. We need to call it out and show our support and solidarity for workers who are subjected to this abuse. It is shocking. I offer my apologies, on behalf of this House, to the bus driver, any bus driver or anybody else who is at the receiving end of that kind of horrific abuse.

Senator Burke raised the future of media funding report, which apparently has been with the Government since last October. He is correct in what he said. Our local media provide a fantastic service to our communities and all public representatives, be they national or local. I think of KFM, the *Leinster Leader* or *The Kildare Nationalist*, which all provide an excellent service and, generally, a very fair service to our public representatives. We need to ask where the report is and look for a debate in the House on that.

Senator Keogan raised the issue of the USC and how difficult it is for people to pay it as the cost of living is going up. Every single bill is difficult. It is important to note it was good that the threshold was increased to make sure old age pensioners were not included. A further decision will not be made in this House, but we can ask for a debate and request the Minister, Deputy Donohoe, come to the House. The Senator also expressed her sympathy to Deputy Verona Murphy on a bereavement. We may be able to get the details.

**Senator Sharon Keogan:** Her mother, Ms Breda Murphy.

**Senator Fiona O’Loughlin:** Our deepest sympathies go to Deputy Murphy on her mother’s passing.

Senator McGreehan spoke about improvements in services for victims of domestic abuse and referred to the details announced today for a new agency, an increase in the number of refuges in the country and the supports needed for those refuges. That is important. She highlighted the need for everybody to work together on this, including Opposition and Government and all of the different agencies.

Senator Dolan spoke about regeneration for Castlerea and enterprise centres. She referred to a food incubator hub. Our agrifood industry is important. In the old Model School in Athy, County Kildare, we have a similar type of food hub to support and encourage new businesses to start out. The more incubators hub we can have around the country, the better. From what the Senator said, Castlerea seems to be the place to be in terms of the different types of festivals and so on.

Senator Lombard spoke about the St Patrick’s Day festival and insurance. We are very lucky there are so many celebrations in this country for our national day at home and abroad. We all look forward to next year, when we can celebrate St. Brigid’s day at home and abroad as well.

**Senator Rónán Mullen:** It is a nice time to be travelling.

**Senator Fiona O’Loughlin:** Senator Lombard was correct in raising the point about the significant burden on our communities and volunteers who are, for the first time in three years, getting ready for St. Patrick’s Day events. Insurance should be affordable. We will refer this to the Minister of State, Deputy Fleming, and try to get some type of response.

Senator Sherlock raised the issue of an interview on “Morning Ireland” with the Leader. I did not hear the interview so I will not comment on it, although I will make a few points. Senator Seery Kearney spoke and was supported by Senator Carrigy in rejecting the comments made. Senator Sherlock indicated the possibility that the Leader of the House was suggesting that independent funding should be dependent on supporting those in the Government. From what I have heard from Senator Seery Kearney, it seems that was not the case or what the Senator referred to.

The National Women’s Council of Ireland is an independent body and, as Senator Sherlock has said, it has done excellent work on social change in this country. We completely acknowledge that. It should be independent. Government funding has never been contingent on support for the Government, no matter which party is in government, and it should not be. The issue, however, is about balance. If political representatives and women of different parties are to be involved with the event, all parties should be included. This is to make the point that all women are working together in this House and the Dáil in trying to make our country a better place for women. We are doing that day in and day out.

I articulated my concern about this yesterday on the radio. My concern is that the message being given to the women of this country is that women elected for Fianna Fáil, Fine Gael or the Green Party do not have a voice representing women. Whether the National Women’s Council of Ireland intends it or not, it is unfortunately the message being given. It is a message being given to women and men voting for these parties or no party. Everybody’s voice matters, so the event should either give a platform or rallying point for all parties and those elected with no

party affiliation or else it should have no female public representatives. It could instead have people representing other organisations. This is a question of balance and diversity, and that must be stated.

**Senator Rónán Mullen:** We are not there yet.

**Senator Fiona O'Loughlin:** Senator Ward spoke about Liath restaurant in Blackrock getting two Michelin stars, which is fantastic. I know Blackrock well as I went to college there and have family living there. It is one of my life's ambitions to get to Liath. Chapter One also received two Michelin stars.

**Senator Malcolm Byrne:** Senator Ward will take Senator O'Loughlin there for lunch afterwards.

**Senator Fiona O'Loughlin:** Numerous restaurants around the country received Michelin stars and awards yesterday, which is wonderful. We are encouraging visitors to come to our shores so having really high-quality food in restaurants is important. For those of us in the country, now that restaurants are open and back for business, it is wonderful to see the level of quality and high standards we have.

**Senator Rónán Mullen:** I hope we will not see post-Covid grade inflation in them.

**An Cathaoirleach:** Please stop interrupting.

**Senator Fiona O'Loughlin:** Senator Ward also mentioned the fact that we only have three pharmacy schools and we need a fourth. He asked for a debate with the Minister for Health, Deputy Stephen Donnelly, but perhaps that debate should be with the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris. In discussing the Cassells report and funding for higher level, we should include the matter in the brief that we could ask the Minister, Deputy Harris, to address.

Senator Seery Kearney also congratulated Our Lady of Hope School in Crumlin on its new special school. It is wonderful to see and I have seen the campaign that parents in Dublin 12 carried out in trying to get that special school operational. As the Senator has said, the work is continuing but I say "well done" to all the people involved. Again, it is an example of people power.

Senator Carrigy spoke about the cost of living for students and that is something we will debate with the Minister for Further and Higher Education, Research, Innovation and Science, Deputy Harris. I should mention that a commitment was given that we would expand the SUSI grant and that is absolutely needed, particularly for those students who must travel from their towns and cities to be able to go to college. That must be a priority.

Senator Buttimer spoke about the lifting of restrictions and the fact that primary schools have not commenced their return to play activity and games. I had not realised these activities had not recommenced and they most definitely should. Cumann na mBunscol does incredibly valuable work in co-ordinating and scheduling games. This is a vital part of young people's lives growing up in school. It is an opportunity to be part of a team and compete against others. It is part of sporting life and more, so we will write to the Minister for Education, Deputy Foley, and the Minister of State with responsibility for sports, Deputy Chambers, to ask that the activities be restarted immediately. We thank all the volunteers involved in Cumann na mBunscol

and I remember refereeing matches many years ago. The parents nearly ran me off the pitch and I was scared by it.

Senator Conway spoke about equality in the cost of transport. He is 100% correct in encouraging people to use transport and I addressed this with the Minister for Transport, Deputy Eamon Ryan, when he spoke in the House yesterday. The Senator also spoke about the need to add an extra service from Dublin to Cork to ensure young and old people can get into Cork for work or college. That is certainly something we should take up with the National Transport Authority. We will support that.

Senator Ahearn mentioned that Cahir Castle was awarded the title of best film location in Europe, which is a wonderful accolade. We wish the town well with the films that will be made there. The Senator also mentioned the decision by the Supreme Court on the proposed Glanbia cheese factory, which should have been started in 2019. It was held up with challenges right along the way and of course the cost of building has absolutely increased. It has been a very difficult time for the company but this must be good for farmers and local communities. It will bring a very large investment to the area and we wish it well.

Senator Malcolm Byrne spoke about international student health insurance, which he has raised many times. I have heard him raise that subject both in this House and in other meetings. That it seems to be falling between Departments is most frustrating and I certainly know that feeling. We will seek a response from the Department of Justice, as from what I understand by the Senator's comments, it is currently under its remit. We will certainly seek clarification in that regard.

Senator Craughwell highlighted a new type of fraud or scam. He is correct in saying how shocking is the number of scams out there. We should highlight that the new scam relates to AIB. On foot of this, AIB will contact people by phone and the best of luck to the staff in doing so. I am not sure I would answer any questions on the phone from anybody purporting to be from a bank. The work must happen nonetheless, whether it is with personal calls or by asking people to a local branch. They would know there is safety and security in answering those questions in a bank. Cybersecurity concerns are expanding and this gets more frightening all the time.

The Senator also raised the question of the military service allowance and the cut-off for entitlements. As the Senator knows, we have all looked for a debate in this House on the commission's report. Perhaps the matter could be discussed on the Commencement, and I would be happy to share it with the Senator.

**Senator Rónán Mullen:** Senator O'Loughlin rightly corrected me on the provenance of the Bill. The suggestion was made I was heckling her but I was merely offering a correction and that the piece in question is legislation as opposed to a motion. Being so flawed and passing Committee Stage, this is much more serious, I am afraid. If it was just a motion, things would not be so bad. I was not heckling the Senator. I was just offering a correction.

**Senator Paul Gavan:** There could be some divine intervention.

**Senator Rónán Mullen:** We could all do with a bit of that.

Order of Business agreed to.

16 February 2022

*Cuireadh an Seanad ar fionraí ag 12.50 p.m. agus cuireadh tús leis arís ag 1 p.m.*

*Sitting suspended at 12.50 p.m. and resumed at 1 p.m.*

### **Report of Joint Committee on Agriculture and the Marine: Motion**

**An Cathaoirleach:** I welcome the Chairman of the Oireachtas Joint Committee on Agriculture, Food and the Marine, Deputy Cahill, from County Tipperary. We are here to discuss the report of the committee, entitled Issues impacting the Forestry Sector in Ireland, which was published in March 2021. It is timely. One of the new roles of the Seanad in our renewal process is to review reports of Oireachtas committees six to 12 months after they have been first published. We will look at the recommendations of the reports to see if they have been implemented. If they have been implemented we will look to establish how successful the implementation of the recommendations has been. If recommendations have not been implemented, we will seek to establish when they will be implemented and, if not, why not.

**Senator Paul Daly:** I move:

That Seanad Éireann shall take note of the Report of the Joint Committee on Agriculture and the Marine entitled 'Issues impacting the Forestry Sector in Ireland', copies of which were laid before Seanad Éireann on 2nd March, 2021.

I welcome the Minister of State and Deputy Cahill to the House. As a Fianna Fáil member of the agricultural panel, I am glad that Deputy Cahill is only passing through here today. It is a House that I never want to see him in unless - and I say this genuinely as a good friend and colleague - he is back as Chair of the committee. I hope that some day in the future that will happen.

I welcome the Deputy and thank him for the lead he took on this report on what was identified, in the formation of the last Government, as an area of major crisis in our agriculture sector, its role in carbon sequestration and the whole climate action process. It has been a well-documented issue and this is not the first discussion we have had on forestry.

I am not going to go over old ground. I will stick specifically to the report before us. What else would I say as a member of the joint committee other than it is a fantastic report. However, a report is only as good as the paper it is written on. It is the implementation of the report that is the proof of the pudding at the end of the day, as they say.

I compliment Deputy Cahill on the fact that he added this issue to the work programme of the committee very early in the game, and on the amount of work that he personally put into the compilation of the report, along with the other committee members. While there are acknowledgments in the report of the witnesses who appeared before the committee, I am very much aware of numerous other meetings that were held - mainly online because of Covid - with other parties, stakeholders and people involved who are not even referenced in the report. I attended some of those meetings with Deputy Cahill. A large body of work was put into the compilation of the report.

With regard to the content of the report, as with any report, the recommendations, observations and conclusions on pages 13 and 14 are what is important. As I have stated, the report is only effective if and when the recommendations are implemented, implemented successfully and have the desired effect.



I welcome, since the publication of the report, the appointment of Ms Jo O'Hara to oversee the implementation of the Mackinnon report. As we all know, the Mackinnon report was a previous report commissioned on forestry which is referenced in this report on numerous occasions. It was felt by the committee that the Mackinnon report was doing the proverbial life-after-publication thing of sitting on a shelf. I welcome the appointment of Ms O'Hara to oversee the implementation of that report.

I compliment the Minister of State on bringing forward the legislation which alleviated some of the appeals issues that were adding to the backlog in the licensing system. The backlog in the licensing system is the issue that has been highlighted most in all discussions on forestry over the last few years. One of the recommendations of the report is that the licensing system is eased up going forward. There is a necessity that when people apply for a licence, they are given a timeframe as to when they will get a response, whether good, bad or indifferent. It is strongly recommended in the report that one licence should cover an entire cycle of forestry. I feel very strongly about this. Built into an afforestation licence should be a forestry management plan that includes roads and felling, which we know will happen at some stage in the life cycle of the forest. If this recommendation were implemented, there would be no need for three applications. That three licence applications must be made for one forest adds to the backlog.

Another major issue in the report is that of ash dieback. We recommend a quarterly report on the reconstitution and underplanting scheme, RUS, and how it is progressing. We believe the scheme needs to be examined. It is not effective and there needs to be more compensation for those who have lost their plantations through ash dieback.

Another recommendation, which I welcome, is to develop a species of ash that would be ash-dieback resistant. However, we must be very careful and ask when a native Irish ash becomes other than native if we modify its make-up. While we always have a big debate about native broadleaf trees, it is strongly recommended that we further the science on developing resistant ash. However, we have to be careful not to cross the threshold whereby a native ash would become something other than that.

On licensing, I accept that the dashboard we saw last week indicated an increase. This is welcome. However, if the indicated number issued per month is realised, we will still reach only 6,000 ha. Our target is 8,000. Therefore, we need a significant further increase.

The major requirement, which comes across very strongly in the report, is confidence in the forestry sector. People will not want to sow trees and forestry targets will not be met if we cannot come up, here and now, with some way of re-instilling confidence in the farming community, in particular.

**An Cathaoirleach:** I now call on the Chairman of the Joint Committee on Agriculture, Food and the Marine, Deputy Cahill.

**Deputy Jackie Cahill:** I thank the Cathaoirleach for the invitation to speak today.

After the election in 2020, several stakeholders in the forestry sector told me their industry was in crisis. In the previous Dáil, attempts were made to introduce legislation on the appeals process, which was causing great delays at that stage in the issuing of licences. Thankfully, we got that legislation through early in the lifetime of the current Dáil. The committee decided it would have a series of meetings on the forestry sector to determine what it could recommend to address the large backlog in the licensing system and, as Senator Paul Daly has said, rebuild

confidence in the sector.

Forestry is a very important industry to rural Ireland. In the world we live in, it also has an influential role to play in addressing climate change and meeting our climate change targets. As a farmer, I find it extremely frustrating that the potential of forestry in reducing our emissions is not being fulfilled.

Forestry is an important industry, employing 12,000 people. Our report set out to address four bullet points: the current licensing issues and the backlog; encouraging new entrants into the sector; achieving the climate action target of 8,000 ha; and determining what could be done for the owners of plantations with ash dieback, who have suffered very severe financial loss. We held meetings between October 2020 and October 2021 and produced 12 recommendations for our report. We met all stakeholders and there were numerous meetings. The first recommendation was to build trust and have a charter of rights. We saw this working very well in other areas of the agriculture sector, especially in respect of farm schemes, which faced a similar problem ten or 15 years ago in that there were no established timeframes for payments. Since a charter of rights was established, 97% or 98% of payments have been made on a specific day. This has restored confidence considerably in the farm schemes. Something similar needs to be done in forestry so an applicant for a forestry licence will have a response from the Department within three, four or six months, or whatever timeframe is set out. That is essential if we are to get people back into forestry to meet our afforestation targets. I appeal to the Minister to establish a charter of rights.

The licensing system is really frustrating for stakeholders and is just not fit for purpose. While the licence output has increased considerably, there is still a significant backlog. The original target was the issuing of 100 licences per week. Thankfully, that target is being met consistently but there is a major flaw in that afforestation licences are still significantly below target. Stakeholders tell us we need at least 20 afforestation licences per week to be issued to go somewhere towards meeting our target of 8,000 ha per year.

A stakeholder told me a couple of weeks ago that in 2017 there were just under 12,000 afforestation applications in the system and that these resulted in the issuing of just under 6,000 afforestation licences in that year. At present in 2022, there are slightly fewer than 4,000 afforestation licence applications in the system. A rule of thumb is that about 64% of applications result in licences. That indicates a huge drop. In 2017, just under 12,000 afforestation licence applications were coming through the system; today, the number is one third of that. That really pinpoints the serious lack of confidence within the industry and the reluctance of potential applicants.

We all agree we have targets to meet and challenges to address regarding climate change and climate action. Getting farmers involved in afforestation is critical. The figures are extremely worrying. Given a conversion rate of 64% and the number of applications currently in the system, a maximum of 4,600 ha will be planted in 2022. That would be if all the licences got through the system in 2022, which obviously will not happen. This shows the challenges we have to face.

We need to revamp forestry. There has been too much bad press over forestry applications, the issuing of licences and ash dieback. It has left a sour taste in people's mouths. We need to revamp and relaunch to get people interested again.

I have been very consistent on ash dieback. I am extremely disappointed that we have not put a reasonable financial package in place for the plantation owners who suffered huge financial losses as a result of ash dieback. First, they should get a grant to clear their plantations. While there is a scheme in place, farmers are not at all happy with it. They should be given a choice if they want to replant. The premium should be made available to them again. A 20-year premium scheme should be made available to those farmers again. While it would not fully compensate them for the huge financial loss they suffered - ash was to be a financially attractive crop for them - it would give the industry some confidence that fair play was happening.

We need to revamp the current premium scheme for anyone entering afforestation. Some years ago, we reduced the period covered by the scheme from 20 to 15 years. I accept that the amount of money paid out remained the same and the rate of premium per year was increased. We need to make it attractive again for people to afforest. We need to go back to a 20-year scheme and increase the rate per hectare to make it financially attractive for people to afforest. It is essential that this is done if we are to go some way towards meeting our afforestation targets.

Of the licences issued last year for afforestation, half were for broadleaf trees. While broadleaf trees are very welcome and have a role to play in making the countryside attractive, carbon sequestration, etc., the harsh reality of life is that without Sitka spruce, there will not be a forestry industry.

I will not be here in 25 years' time but we will be criticised in 25 or 30 years for what we did in Ireland in 2021 and 2022 when we did not plant sufficient Sitka spruce to keep forestry for our mills. We will need timber for building houses, etc., in future. It is an essential raw material. As I said, forestry is a great industry for remote parts of rural Ireland that find it hard to attract industry. In 25 or 30 years' time, people will ask why we were reluctant to plant Sitka spruce? The amount being planted will result in a serious shortfall in years ahead. That we allowed that to happen will reflect very badly on the powers that be. Unfortunately, that is the situation.

We have produced our report. Forestry is an industry that can contribute greatly to the battle against climate change. It creates jobs in rural Ireland where they are extremely scarce. We have to reduce our emissions from the agriculture industry. We understand that fully. If we implement the 12 recommendations in this report, we will restore confidence in the sector and everyone will be a winner. We will reduce our emissions, increase carbon sequestration and keep a vital industry going in rural Ireland.

I recognise that the appointment of an adviser to ensure the Mackinnon report is implemented is most welcome. Other recommendations in this report need to be implemented to restore confidence in the forestry industry, ensure it prospers into the future and continues its contribution to the country, both economically and as regards climate action, which is something we all want to achieve.

**Senator Malcolm Byrne:** I join Senator Paul Daly and others in complimenting Deputy Cahill and the members of the committee he chairs on their work on the vital issue of forestry. In many ways, I will simply echo some of Senator Cahill's points. Having looked at the recommendations, while they are ambitious in certain places, they are achievable. I know from speaking to those working in the forestry sector that this has been a very difficult period. They have communicated that to the Minister of State, Senator Hackett, clearly. The fact that, of late,

we have been planting fewer trees than we were in 1990 certainly raises eyebrows.

I echo Deputy Cahill's comment that we need to be ambitious. We need to start to look at where we want to be in ten, 15 and 20 years' time, rather than talking about short-term licensing. We must ensure we have a viable forestry industry that is financially sustainable for those involved in it and contributes towards environmental sustainability.

If I have one criticism of the Department, it is that it is not being sufficiently ambitious. We need ambition and that is encouraged by the recommendations. Forestry will represent and is, in my ways, one of the easiest solutions to tackling climate change. I encourage the Minister of State to continue to engage with the sector and continues to be ambitious.

**Senator Victor Boyhan:** I thank the Minister of State for coming to the House to deal with this particular issue. It is her portfolio and area of responsibility. I also warmly welcome Deputy Cahill and thank him for his enormous work and leadership in the Committee on Agriculture, Food and the Marine. I acknowledge that Senators Paul Daly, Lombard and O'Donovan are also members of that committee and have done an enormous amount of work.

The word "ambition" is important. We have to be realistic. Our report was completed a year ago and we made 12 solid recommendations. Forestry is regularly discussed on the committee and the Chair will vouch for that. It is constantly exercising the minds of members of the committee who want to see ambition with regard to the delivery of new entrants and retaining people in the industry. That is important.

I also thank the Cathaoirleach for his initiative to discuss some committee work in the Seanad. It has been a year and things move very slowly in politics, life and, in particular, forestry. I think back to the first time the Minister of State attended the Seanad in her new role. I was pretty harsh then in terms of the demands I made of her. She has a difficult brief but she has worked exceptionally hard for it. She has had to navigate officials in her Department and take on a system that had been embedded for a long time. Now, one year on, we are all in a better place and have a greater understanding of the task and challenges that lie ahead. It is very important that we take that on board.

We must be mindful of all stakeholders. Environmental and other groups have legitimate concerns and we must acknowledge that. However, we must get over those concerns and find a way to have a progressive and ambitious forestry sector. It ticks many boxes in terms of the environmental and green agenda, and we have to harness that as well.

I looked at the report again today and there were 12 key issues. I will stick to the key issues, rather than the debate. The motion before us is on the report. It is not on what we think about forestry but the report from the Joint Oireachtas Committee on Agriculture, Food and the Marine. I will address the key issues rather than reading out the 12 recommendations as that would take too long. These include overseeing implementation of each of the Mackinnon report recommendations and developing a customer service charter to assist the building of confidence in the system. We have heard about building confidence in the system. The Chairman spoke of the importance of a customer service model, which is very important.

Additional resources should be allocated to deal with the enormous backlog. We still have a backlog; let us be honest about it. People are frustrated with the system and it has to improve. While we are addressing the issue, the backlog in licensing is simply unacceptable and will not be sustainable going forward.

The joint committee looked at the issue of accessing the licensing system without delay. That is still a key priority for us one year on. Perhaps the most controversial recommendation, one on which we need focus much more, is that, in addition to an accessible licensing system, a single consent is introduced covering planting, road construction, management, felling and harvesting. It would be a one-stop shop, in effect, which would bring everything together. That is where the kernel of the problem is.

We also talked about supporting research and assistance in terms of species and innovation along with grants to cover the financial loss of clearing affected plantations. The Chairman of the committee has talked about the ash dieback challenges. The report also recommends compiling a detailed report on the origins of ash dieback. We need to do more work on that and we need a financial package to support affected foresters and farmers to clear their land. We need to recognise the skill of stakeholders to work together effectively. People want to work here effectively. We want to get on with the job.

I am not expecting the Minister of State to give a full response to all of this today; it is really a sharing of our concerns one year on from our report. There is a suggestion that we develop a strategy for the reconstitution of the elm, a very important species and one we should be encouraging. We also need to enhance the environmental benefits and increase the proportion of broadleaf in our native woodland afforestation. I know the Minister of State is very supportive of that. It was one of the key recommendations in our report. We also highlighted the recreational advantages of forestry. “Closer to nature” is the phrase the Minister of State uses so much herself here. It is about how we can showcase and promote the real opportunities for recreation in our State forestry and private forestry. I would like to see a greater synergy there. There are issues we need to look at again in terms of how we treat private investment companies in forestry and how we treat Coillte. I have some concerns. It was not something we identified in the committee report but I want to flag it to the Minister of State today. How can we encourage new and existing farmers to enter, re-enter and remain in the forestry programme? It is a significant challenge. We must meet our national target of 8,000 ha of afforestation annually. It is a massive task and we are nowhere near it yet. It is set out in our climate action plan obligations. I know the Minister of State is committed to doing it but there are enormous challenges.

I thank the Minister of State for coming to the House and the Cathaoirleach for providing us with the opportunity to review our 12 recommendations. It is one year on. This motion was tabled in March 2021. We are now discussing it in the House and still a lot of what we recommended has not been implemented. For today’s engagement in Seanad Éireann to be meaningful, we need to keep in constant contact with the Minister of State. We will do that through the committee and I know the Minister of State is always available to it. We must keep on top of our commitments in respect of this really important piece of work.

I thank the Minister’s officials who have made themselves available. There have been many heated debates, as the officials will certainly have told the Minister, when the members of the Oireachtas Joint Committee on Agriculture, Food and the Marine have cross-examined and made demands of the officials. It is always with the best objective of having a good, ambitious, progressive and sustainable forestry sector. There are enormous opportunities for the environmental sector. There are win-win situations for everyone. It is vital to get the synergy right, harness the ambition, increase our targets and deliver on the targets set by the Government and the committee.

**Senator Tim Lombard:** I welcome the Minister and the Chairman of the joint committee,

Deputy Cahill. I compliment the members of the committee present in the Chamber. Senators Boyhan, O'Donovan and Daly have been very active in the agriculture committee. All three are members, along with myself. We have worked with the Chairman of the committee on a very workmanlike basis over the last 18 months. We have dealt with forestry every month, I think. On several occasions we have brought senior members of the Executive before us, including the Secretary General of the Department, assistant secretaries and the Minister of State herself.

How we get moving on this issue has been a real challenge for the committee. We published the report 11 months ago with 12 recommendations on which we are hoping to get movement. We could have a real change of ethos when it comes to how forestry is looked at within the farming community. There is also a need to move the forestry agenda forward within the Department itself. Two entities working together can come up with a solution that can help the environment and society and also help us reach our climate action goals. Never has a conversation about forestry been so important when we consider where we are today. The one figure that always frightened me was the afforestation programme figure. It dropped about 30% at one stage last year. They are really frightening statistics. The committee Chairman said that future generations will judge us. I am fearful of what my daughters will think of us in 25 years' time going by the figures we have produced in the last 18 months. They are not good reading. That is why this report is so important.

The report, which most Oireachtas Members have read and commented on, makes 12 recommendations springing from our series of hearings, which we believe can move the industry forward. The recommendations need to be acted upon within the Department. I will just mention a few. The customer charter is really important. It is the foundation for building confidence within the sector in a solution they can work through. The customer charter has worked really well in other parts of agriculture. The need for it in forestry is very evident. System changes within the Department are also really important. I refer to basic stuff such as having the ability to track an application online. The computer system in the Department is from a different age. We need to know what is going to happen with this online system in respect of file tracking and timelines for files. We need definitive adherence to those timelines. That in turn will give confidence to the sector and to the industry so they can hope to reach the target of 8,000 ha which unfortunately we are really far off.

Ash dieback has been raised by other Members *ad nauseam* at this stage. It is about trying to get that amount of land that is unfortunately idle at the moment. I think it is literally growing dead wood for lack of a better terminology. We must encourage that massive potential to be utilised for climate change issues and for industrial issues to ensure we actually have timber going forward. I do not think we have managed to win that debate. The schemes brought forward by the Department have not been effective. Persuading the massive cohort of people who are affected by ash dieback to get involved so that land can be cleared and more trees put in it in a short period is a real challenge. We mentioned that in the report. A year on we need to see real movement and I do not think we see that at the moment.

Ash dieback came in because of our lack of biosecurity measures. There is fear because we have a shortage of timber that our biosecurity measures are not appropriate when we are importing a large amount of timber. We are worried about things like the spruce bark beetle coming in from the UK. If that was to land on our shores it would have potential for similar damage to that caused by ash dieback. It is in the southern parts of the UK at the moment. Implementing appropriate biosecurity measures is a massive issue for us.

The whole thing about having a single consent process is key to making sure the entire process works, as other Senators have mentioned. A single consent process has worked in other industries and in other ways of doing business. If we had a single consent process in place we would see the timeline people could work towards, with confidence coming back into the sector. That would play into the whole narrative of trying to build confidence.

The potential that exists for forestry is amazing. The key issue is to try to harness that potential in the future. That will be a defining factor in how we can reach our climate action targets. There are proposals to spend hundreds of millions of euro on other projects relating to climate, such as wind energy, but this is something that is within our control. We have to find a solution so we can encourage the farming community to come on board and to move away from 30% afforestation to a more appropriate percentage. We should be seeking to reach the 8,000 ha. That is the kernel of the issue.

This report has been a positive step. It has pushed this to the top of the agenda. Government action is required to ensure the industry moves forward. I welcome the Minister of State's response to these issues because they are key issues and if we do not deliver, the next generation will not forgive us.

**Senator Annie Hoey:** I welcome the Minister of State and the Chairman of the Oireachtas Joint Committee on Agriculture, Food and the Marine, Deputy Cahill. I commend my colleagues, Senators Boyhan, Boylan, Paul Daly and Lombard, on the quality of their work on this report. I found it incredibly informative and helpful. I am a Member for the agricultural panel and come from a farming background and it helped me get a sense of the issues facing small farmers in the forestry sector. I will briefly go through some of the notes in the report.

One of the notes is that the committee has been receiving a regular forestry licensing dashboard from the Department, which shows the number of licences issued. It would be a good idea to have this dashboard expanded. As is said in the report, and I agree with it, the dashboard needs to be expanded to show how long applications have been in the Department's system. I referenced this dashboard a few minutes ago in the health committee meeting on Sláintecare and suggested that these dashboards are very good not only for public representatives to be able to see what is happening but also for public accountability. I suggested something similar for the implementation of Sláintecare. Public accountability and accessible information are vital, whether it relates to forestry licences or the national roll-out of Sláintecare and the future of our healthcare system. This tool is extremely useful and it is helpful to see the rates of planting, although many of us would like to see more of it taking place.

The Minister of State was in the House last week when we were discussing recording hedgerows. She mentioned that we will not record that because it will send our numbers askew. I have been thinking about that in the interim and I know why we are not recording the cutting of hedgerows. However, it is part of the fact of the matter and it is important to have a way to track the cutting of hedgerows and its impact. If that makes us look not so great, that is the reality. It is important to have that accountability. I hope this dashboard is maintained as a point of information for many years to come.

In the section of the report relating to the programme for Government, the committee recommends that quarterly meetings take place between the Department and stakeholders to discuss and monitor the progress of its implementation. Will the Minister of State confirm if that recommendation has been taken on board and which stakeholders the Department is meeting

with on this?

I was concerned when I read in the report about what the IFA has said. The IFA stated that this backlog is jeopardising jobs and businesses that have been built up over the past 40 years to support the expansion of the private forest sector. Reforestation is about a just transition and it was, arguably, the first big move to just transition jobs in Ireland. The core of just transition is that these are not just jobs but that they must be fair, well-paid, sustainable and secure jobs. If they are not, we will see people leaving this sector. We have seen that already, but that cannot become the norm. We definitely need more people signing up to this work, especially small farmers.

That leads me to my next point, which is the role of small farmers and the impact these delays are having on their participation in the process. Other Senators have referred to confidence in the system so I will not labour the point, but if people do not have confidence in the system, all the implementation plans in the world will not make a difference. I will quote my party colleague, Deputy Sherlock, as reported by Agriland the other day. Speaking on ambition in the sector he said:

I am not convinced ... that all of the stakeholders through Project Woodland are as enthusiastic about the future of forestry policy. I think some of those stakeholders are becoming increasingly frustrated by the lack of ambition.

Ambition was mentioned here previously. If we have concerns about confidence in the sector and whether we are being ambitious enough, these are very big challenges to overcome. Does the Minister of State have any comments on those challenges? They are big challenges to overcome before we even get another tree into the ground.

The report mentions the need to incentivise smaller farmers in this industry. I encourage the Minister of State to take on board the recommendation regarding premiums on page 10 of the report. If large, commercial multinationals can get premiums paid over ten years, is it fair that farmers on smaller lands have to wait up to 20 years?

Ultimately, all these issues bring us back to the most important and cogent point, which is that we need to plant more trees, and the only way to do that is to ensure forestry licences are provided. Felling and planting licences are simply taking too long to be processed. We have been having this conversation for the two years I have been a Member of this House. Our environment, our agricultural workers and our biodiversity are suffering as a result. I look forward to hearing from the Minister of State about her strategies for resolving these issues and for progressing with cutting waiting times for planting licences, which is badly needed.

**Senator Róisín Garvey:** I thank the committee for all its work on this report and I thank the Minister of State for taking the time to attend this debate. We could talk about trees all day, and it is great that everybody now recognises the importance of trees. I remember planting trees about 25 years ago. We had recycled a load of aluminium cans. A fellow from Longford town, John Crossan, had a dream that one could turn cans into trees. He recycled 250,000 cans and bought 5,000 trees. We went all around Ireland planting trees with schoolchildren. It was an amazing experience. Now, 25 years later, it is a topic for the Seanad.

I commend the work of the Minister of State, Senator Hackett. There were many problems in the forestry section of the Department, and there still are, but the numbers do not lie. Níor bhris an dea-fhocal béal duine riamh. It is always good to point to wins when we have them.



There is major investment in resources in the Department and there are more ecologists. I believe the Minister of State started out with two when she took office and now there are 27. That is very important work because we have to put the right tree in the right place and we must have ecologists in the Department doing the work. One can always pay somebody to say it is all good, but there must be neutral departmental ecologists who are going to do this correctly. I welcome that, as it very important. In the past we have seen too much Sitka spruce and not enough native woodland or perhaps native woodland that did not survive and was mismanaged. There have been many forestry issues, so it is important to make that point.

Licensing in 2021 was 56% higher than in 2020, with 4,050 licences issued in 2021 compared with 2,592 issued in 2020. That is a huge achievement considering the backlog and the bureaucracy. One could say I am biased because I am in the same political party, but I know the Minister of State is working night and day on this. We must acknowledge progress when there is progress because that encourages more progress. The civil servants with the Minister of State have also worked hard on this and we should acknowledge that work. Things are improving. It started badly but we see progress in that realm.

It is also important that we look at forestry as an industry. There is a myth that all Sitka spruce is bad and that if somebody is planting Sitka spruce and not native woodland it means the person does not care. There is also the huge industry of housing construction and the materials needed for housing. Now, more than ever, timber-framed housing is being considered as a much better model than the concrete blocks of old. Even bricklayers are saying that their time is running out because we are going to be looking towards more timber-framed houses. That is why it is great that we plant Sitka spruce and it is managed properly so it becomes the wood we need to build the houses and therefore bring down the price of housing and the price of materials. It is important to say that. It is much more nuanced than saying all Sitka spruce is evil and all native woodland is good. Let us be realistic and have an intelligent debate about it, because sometimes we get lost in over-simplifying the debate on forestry.

However, I must say that native woodlands are just the best thing on the planet. They are so important. They are good for our mental health and physical health, even if we did not have-----

**An Cathaoirleach:** I thank Senators for their contributions, but I remind them that this is a debate on the report.

**Senator Róisín Garvey:** Yes, this is quoting the report. It is what prompted me to raise the issue. The report states: “The pandemic has highlighted the recreational importance of forestry as the public increased their use of public forests and trails to be closer to nature”. I am sticking to the report strictly. It states that trees give us clean air, prevent flooding and mitigate water movements, prevent soil erosion, provide habitats and biodiversity and are a great public amenity for recreational use. I was totally on point with the committee’s report and welcome its acknowledgement of those benefits. During lockdown we were all craving nature and we discovered pockets of trees we did not even know were there. We have significant mental health issues in this country and we cannot all afford to go to counselling, and there are issues with counselling services. It is amazing what native woodlands do for one’s mental health. We have seen forest bathing and all the other things people go on about on Instagram. If one goes walking in a native woodland, one will come back a better person. That has a big part to play, especially in a climate emergency and a biodiversity emergency.

**Senator Denis O’Donovan:** Thank you, a Chathaoirligh, for facilitating this debate. I

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acknowledge the presence of Deputy Cahill, whose excellent stewardship of the agriculture committee has brought us to this point. I compliment him on his hard work and welcome him to the Upper House. It is nice to be upgraded occasionally. I am glad Deputy Cahill is here. My contribution will be brief and I will not dwell too much on the report and its 12 points or recommendations.

There has been no cohesion in respect of afforestation. Historically, there has been severe neglect and underdevelopment in the sector. Apart from the environmental benefits of forestry and what the previous speaker said, which I must agree with, the reality in the plan is that we would have 8,000 ha and we are not halfway there.

There was mention earlier of the one-stop shop approach. I recently had a good discussion with a farmer in my constituency - if Senators could be said to have constituencies, mine would be Cork South-West - who planted about 60 acres of forestry many years ago. When I asked him what he would replant and what the issues were, he said first that there was no incentive. Second, he said there was no encouragement at Department level or any other level. He said the financial reward he had got for his 60 acres of plantation had been hard-earned and very slow in coming. This man is not getting any younger. He said he would have to see significant changes to entice him or perhaps his son to go back to afforestation. There has been mention of ash dieback, the spruce bark beetle, etc., but we must grasp the nettle. I know that the Minister of State is doing extremely good work, but afforestation does not happen overnight. There has to be planning, and the planning at this stage will not reap benefits until maybe a decade or 15 years down the road.

The other issues the farmer to whom I spoke mentioned to me related to licences and the various authorities involved. He said that at one stage when the trees were being harvested, cut and taken to the timber mill, the big logs on double-trailer lorries, the council and his neighbours were on to him about the damage to the road, so he said he was losing at every angle. There were neighbours falling out with him. If there was proper cohesion from day one, I think these issues would be resolved. As mentioned, a one-stop shop is necessary, and the sooner we embark on that the better.

This report is an essential step. I accept that the Minister of State's heart is in the right place. I accept that the Chairman of the committee, Deputy Cahill, has passion for and knowledge of all issues related to farming, and I welcome that. At departmental level and ministerial level, however, we must, without putting this too bluntly, pull out the finger and get to work. If we do not, the next generation will not thank us.

**Senator Seán Kyne:** The Minister of State is welcome. I welcome also the committee Chair, Deputy Cahill. I thank him and all the members of the committee for their work and endeavours in the important area of forestry as part of the Oireachtas joint committee and for the publication of the report. I know that all committees are extremely busy. To have picked this subject shows the importance the committee feels it has and the role it plays in the area of climate mitigation and climate change endeavours. I also welcome the Minister of State's own commitment to forestry issues. I know that the past while has been a difficult period for forestry licensing and that she is getting to grips with that. There has been progress recently, but that is still a concern, and a certain amount of damage was done in respect of people planning for the future. That is regrettable, as is the issue of objections. No more than in other areas of Irish life, there are people who tend to object on a range of issues, unfortunately.

A number of years ago the issue of forestry was prevalent in my part of the woods. The issues were clear-felling, eutrophication and run-off. Thankfully, Coillte has changed its policies on clear-felling, and there has been a significant improvement in that regard. Previously, forestry, particularly coniferous forestry, was unfortunately given a bad reputation. I agree with other speakers about the importance of the forestry sector, in respect of both the commercial value of timber and the role it plays in job creation. In my area, the ECC plant in Cornamona, Connemara, employs so many people in the Galway-Mayo area. The native woodlands in particular are, as others have said, good for people's mental health and recreation. The enhancement and use of those through trails, picnic areas and viewing areas are greatly beneficial to society as a whole, and that can be encouraged.

Ash dieback is highlighted in the report. I remember being at a meeting of our parliamentary party when the late Minister, Shane McEntee, informed us of the issue of ash dieback being discovered here in Ireland. The impact ash dieback has had is visible in the beautiful ash trees across our countryside. We now see many of them raggedly and in some cases dying. I know that Teagasc and the Department are doing research work on providing more resilient ash trees, which would be very important.

The Minister of State has pushed forward the Mackinnon report. The committee has examined the report's recommendations and looked to see them implemented. It is important that reports that are initiated are actually put to use and the recommendations in them are put in place. I have said before that there is in some quarters a resistance to tree-planting among farmers, and we need to encourage people to change their mindset. To some farmers, planting an area of trees means they are nearly giving up on that area of land, and that is regrettable. I encourage people to go out and to plant trees with their children and their grandchildren to show a legacy for future generations. A lot of good work is being done on the recommendations. I hope the recommendations will be implemented.

I will hand over to Senator Burke.

**An Cathaoirleach:** Senator, you have more time if you wish. There is plenty of time.

**Senator Seán Kyne:** I will hand over to Senator Burke.

**Senator Paddy Burke:** I thank Senator Kyne for sharing his time with me on this very important topic. I welcome Deputy Cahill, the Chairman of the joint committee, to the House. While he seems very comfortable in his seat, I do not think he has any great ambition to come to this House other than in his capacity as Chairman of the joint committee. I also welcome Senator Hackett in her capacity as Minister of State at the Department of Agriculture, Food and the Marine with responsibility for forestry. This is a great report, and I compliment the committee on bringing it forward.

I have no doubt at all but that every single Member here has encountered great difficulties with people in the forestry industry. Whether they were planting or felling trees, and whatever end of the industry they were in, they have had huge problems over recent years, or at least the past year and half or two years, with licensing, felling and planting. A great deal rests on Senator Hackett's shoulders as the Minister of State responsible for this sector, and I have no doubt at all but that she will make this a top priority.

*2 o'clock*

This is a very big industry in Ireland. It is a great industry and has great potential. I wish to deal with recommendations Nos. 3, 4 and 5 on licensing, particularly the area of planning and the introduction of a single concept covering planting, road construction, management and felling. There is absolutely no reason that cannot be done together. Why should people have to apply for five different licences, such as a licence for felling, a licence for management and a licence for road construction? This should be part of the planning application and it should be simplified. It is great that this was highlighted in the report. We know of the large backlog of licence applications in recent months. It is hard to explain to the public or, indeed, those involved in the industry why there is such a backlog. There are various reasons for the backlog but it is mind-boggling, to say the least, that we have such a large backlog because it is not a huge industry as is the case in other countries. There is no great science involved in road construction or the felling of trees. I hope this will be streamlined and I have no doubt but that the Minister of State is on top of her game in regard to this aspect.

I believe the forestry industry should be more fluid. As many Senators have said, it is a long and drawn-out process. From planting to getting a return, it could take 30 years or whatever. If the process was more fluid whereby the trees could be sold or the forestry could be rented, it would add to the industry. If someone who planted a forest that is now five or ten years old needs money but does not want to sell the land, he or she should be able to sell the trees at that stage. There should be a mechanism to facilitate this. There could also be a mechanism in place whereby they could get a yearly income. The whole industry should be more fluid because a lot of money is involved in planting and growing, especially given the timeframe of 30 years for the forestry to mature. This is an area the Minister of State could look at. She should consider whether big financiers are required to come to the aid of the people in the industry. I hope that will be examined.

I wish to raise the issue of the timber being taken from the forestry. The people harvesting and transporting it should liaise more with the local authorities about the damage done to the roads infrastructure when removing the timber from the forestry, because some roads have been left in dire straits afterwards and nobody seems to be able to take responsibility for the damage. I know the situation is much better now than it had been. Another aspect of this relates to fencing. I have seen many cases of fencing which had been erected being bundled together and buried in the debris. I believe any fencing that is used and has to be taken down to facilitate the removal of the forestry should be taken away and not buried in the ground. There are obviously mechanisms for taking fencing away.

By way of a last point, I refer to ash dieback, which is a significant problem throughout the country. As we now know, the best advice is to cut it down and burn it. Assistance must be given to people in this regard. It is a matter I am sure the Minister of State is aware and on top of.

I welcome the report and I wish the Minister of State well with it. This report is a great basis on which she can work. She has the backing of the House and the Joint Committee on Agriculture, Food and the Marine. I congratulate the committee for the great work it has done.

**Acting Chairperson (Senator Sharon Keogan):** I call Senator Conway. He has eight minutes.

**Senator Martin Conway:** I am sharing with Senator Carrigy.

**Acting Chairperson (Senator Sharon Keogan):** There is plenty of time. If the Senator would like, he may extend his speech to eight minutes.

**Senator Martin Conway:** I probably will not require that amount of time, but I thank the Acting Chairperson for that.

I welcome the Minister of State to the House. There have been problems with committees publishing reports and the reports being left on shelves. However, the Seanad debating and discussing reports is a new initiative. It has not often happened in previous terms in which I have served. I believe it is a good initiative and I commend the committee on the work it has done. This debate is very useful.

We know the importance of forestry. We know the challenges that the timber industry has faced recently. We know what impact forestry can have on the environment. We also know of examples where forestry has had a severe negative effect on the lives of communities and people. This does not happen all the time but it happens some of the time. We have a responsibility to ensure the structures that are in place going forward in terms of forestry achieve a number of things. First, they must encourage people to engage in the industry of planting and forestry. This is essential from an environmental and economic perspective. Realistically, there are many thousands of acres of land that are only suitable for forestry or wind farms, and we need both. It is an industry that has the potential for significant growth going forward.

Second, the timber industry employs thousands of people in this country but, unfortunately, we have been importing far too much timber in recent times in particular. We do not need to import the amount of timber we import into this country. We have the capability and the land to grow our own trees and provide our own timber. We need to engage and deal with that issue.

Third, we must respect the people who live in areas where forestry is grown. We do not have the right to remove somebody's view and darken a person's house by planting trees. I do not believe we have the right to do that. In addition, people who live in an area should not have the right to object to forestry for the sake of objecting to forestry. What we need is an appropriate licensing system that reflects the needs we clearly have for forestry from an environmental perspective and so on, respects people who live in forestry communities and, furthermore, ensures that people who live in these communities cannot prevent forestry from being planted for the sake of it.

The three principles I have put forward exist in planning. God knows planners do not always get it right, but at least the infrastructure is there. There is a system where people apply for planning. A person can make a submission within five weeks. If people are not satisfied, they can appeal it to An Bord Pleanála. That does not happen when it comes to forestry. I have never understood why it does not happen and it should happen. Perhaps it should not be a carbon copy of the planning application process but there should be more of a public consultation process involved.

There is also a serious problem in the matter of felling trees. We spoke about this before. Coillte is a company I do not have a problem naming. Coillte has been involved in a situation in my county, Clare, in which it has engaged in significant felling. It gets permission to do this. The lorries are overloaded with timber and the roads, which are mainly built on bog, are destroyed. Coillte makes its money, moves out and then the people living in the area have to navigate roads that destroy their cars and are, frankly, dangerous. I believe the licensing system

should facilitate a survey of roads before a licence to fell trees is granted. I have spoken about this before. The local authority should carry out a study of the road, engage with the forestry company and outline the state of the road. After the tree felling engagement has finished, there should be a survey done on the state of the road. The situation should then be dealt with because local authorities do not have endless budgets to fix roads that, quite frankly, have been destroyed by forestry. There are some cases where Coillte and others correctly checked and restored roads to their previous condition, but there are many examples where that does not happen.

When tree felling takes place over a number of years, as it does in certain parts of my constituency and elsewhere, there needs to be a road maintenance programme during that process. All of that could be ironed out through a survey by the local authority.. While local authorities are required to do that, they should be legally obliged to do so and there should be no excuse for not doing so. Good practice happens in 80% of the country and bad practice in 20%, but that is not good enough. There should be good practice in 100% of the country. When the 20% decide to engage in bad practice, the rigours of the law should deal with that and current and future licences should be revoked until such time as roads are restored to the condition they were in before the felling happened.

Overall, I want to be positive because I am a big supporter of tree planting. As I have said, it is essential from an environmental perspective. It is something we can do and should be doing. It has already provided a very meaningful livelihood for thousands of families in this country and can provide a meaningful livelihood to tens of thousands of families in the country.

I agree with Senator Burke that there should be a system whereby people can sell trees without selling land. We need to be a little bit more imaginative in the ways in which we can make it attractive for people to engage in planting trees because it is a long-term project over 20 or 30 years.

The job the Minister of State does is extremely important. We are delighted somebody from the Seanad is at the heart of Government and driving this agenda. It is to be hoped that over the next couple of years the Minister of State's agenda will grow and, when the Government's term is over, she will be able to say there was significant achievement in this particular area. It is a niche but extremely important area.

I again acknowledge the work of the joint committee and look forward to seeing the recommendations implemented. I also look forward to the common-sense recommendations and suggestions made here today being implemented and included in the programme.

**Senator Micheál Carrigy:** The Minister of State is very welcome. I concur with the comments of Senator Garvey. We might be a small county in Longford, but we have always been to the fore in a lot of things and I was delighted to hear her mention Mr. John Crossan.

On tourism, two weekends ago I spent some time in Center Parcs Longford Forest. It was probably the best weekend break I have ever had and was just 20 minutes from my own doorstep. I thoroughly recommend it for those of us in political life to get away from the heat and get back to nature. It was very enjoyable.

I welcome the report and pay tribute to the Chair, Deputy Cahill, and all members of the committee. I hope the Minister of State will take on board the recommendations because they concern the long-term future of the industry. When I was elected to Seanad Éireann and we be-

gan sitting in July 2020, this was one of the first matters brought to my attention. Unfortunately, 18 months later, we still have issues.

Glennon Brothers Timber Limited, in my home county, is probably the biggest timber producer in the country. It recently purchased Balcas, which employs in the region of 300 people. It needs a supply of timber to ensure the sustainability of the business. The reality is we want to build 30,000 or more houses every year over the next ten years. We will need a sufficient supply of timber. The cost of timber has, according to reports, increased by between 45% and 50% over the past 12 months. There has been a significant increase in the amount of timber-framed houses being built due to energy efficiency. We have to start hitting our targets and producing timber.

In 2020, 4,050 licences were issued, an increase of 56%, which is very welcome. We have set a target of 5,250. In January 2022, we still had 4,803 licence applications on hand, of which 64 were for afforestation, and 293 licences were issued. That is a good start, but it is not sufficient. The reality is that needs to be ramped up. If people feel they will not have a licence issued in a timely manner, many will move away from the thought of even planting forestry. That land is then lost forever.

As a Government, we have set a target of planting 8,000 ha of new forest every year. I ask the Minister of State to clarify a recent announcement. We set a target of 1,040 forestation licences to be approved this year. However, based on averages from previous years, that would only result in about 4,000 ha being planted. I ask the Minister of State to clarify whether I am wrong. We would be 4,000 ha short in that case, while I feel we should be setting higher targets for ourselves if we are going to have a sufficient supply into the future and not import timber.

I understand in the region of 450 licences for forests were issued to individuals and these have not been utilised. The total number of hectares associated with them is in the region of 4,000 ha of forestry that has not been planted, despite the fact people have been granted licences. Perhaps we should put a timeline in place within which people must plant forest after having been granted a licence.

I also agree with a recommendation in the report on the reality of the planning system. There are timescales set down in terms of the number of weeks involved when seeking planning permission for a house. We need to have a one-stop shop and roll all licences into one system to speed up supply.

I was on Longford County Council. When Coillte and other companies, in particular private companies, go to cut out forestry, they do not need to notify the local authority and the local roads engineer does not know what is happening. I know of a number of instances where I happened to hear by word of mouth that cutting was happening. A road was due to be resurfaced under the roads plan for the year, but the project had to be pulled because forestry was being cut out. There was no point in spending a significant amount of taxpayers' money resurfacing a road when it would have to be redone after the forestry had been cut out.

I would like a couple of answers on those queries, in particular licences that have been issued but has not been acted upon.

**Minister of State at the Department of Agriculture, Food and the Marine (Senator Pippa Hackett):** I thank my Seanad colleagues for the invitation to speak today. I also welcome Deputy Cahill to the Seanad. I very much welcome the detailed consideration that went

into this report. I and my Department have had several engagements with the committee since the report's publication last March, and we have updated members on the steps being taken to address the recommendations made.

The most significant step in dealing with the challenges the forestry sector faces, as identified in the report, has been the establishment of Project Woodland, which was launched a year ago this month, using Ms Jo O'Hara's report as a blueprint for the implementation of the Mackinnon report on forestry licences. Members of the joint committee recommended Ms O'Hara's appointment, and her report is the basis for Project Woodland. The project has twin objectives. It aims first to improve the licensing system and deal with the backlog, and then to drive forward the planting of trees under a shared vision for forestry in Ireland.

It is important to say the entire project depends on active stakeholder involvement, and I have been impressed by the engagement of the approximately 25 members of the forestry policy group, selected from a range of stakeholders including industry, State agencies, environmental NGOs and community groups. It really encompasses the whole breadth of those who are involved and concerned with forestry now and into the future. There are four working groups and each one will focus on a specific area. Most importantly, each of the four working groups is chaired by an independent person. All four report for a project board which is chaired by the Secretary General of the Department. There are three independent members, including Joe O'Hara, so there is independent oversight. We obviously need to involve the Department in that too because ultimately we will have to implement the findings. The project board has to date published three interim reports on the implementation of Project Woodland and continues to closely monitor progress.

As Members will appreciate, forestry stakeholders as I identified come from many different perspectives so there is no simple quick fix to the issues at hand. It is important we get everyone working together. Afforestation, well planned and executed, counts towards our climate change mitigation efforts, can enhance biodiversity, improve water quality, and provide recreational opportunity, as we have seen in recent times. As highlighted by Senator Kyne the forestry sector supports economic development and employment creation in rural areas in particular, and in our drive towards a carbon neutral economy provides alternatives for fossil fuel-based materials in construction and energy generation. Forestry has so much to offer and it is important that we realise its potential and promote its benefits. Underpinning all of this, of course, must be a well-functioning licensing system and much of our focus in the past year has been on improving licence output.

One of the common threads of today's debate has been about rebuilding confidence in land owners and in farmers to plant and to engage with forestry and see it as a viable land-use option for their farms. We achieved a good result in 2021. We issued more than 4,000 licences which was an increase of 50% on 2020. The committee recommended in its report that additional resources be allocated to deal with the backlog, and this increase in output is reflective of the additional resources we have put in place. We are keeping resource requirements under continuous review and further ecologists and forestry inspectors are being recruited.

Senator Carrigy will be glad to hear that there is no supply of timber into the sawmill sector, having dealt with the issues for the past 12 months, so that is a positive development. Alongside this, we have introduced new processes which have led to more efficient processing. There are concerns as well and Senators Conway and Lombard highlighted the concerns in regard to importation. At the end of the day we export 80% of sawn wood products from our country and



more than 80% of panel products. We are a net exporter of timber. In regard to importation we have seen a significant reduction in past months in terms of importation from Scotland. That is to be welcomed and it came off the back of, I admit, a fairly lengthy period of higher imports than we would have liked. Hopefully that will set the course for the future.

Of course as part of Project Woodland an entire regulatory and process review is under way. We engaged a systems analyst to look at our business and IT systems and her recommendations are now being implemented. Senator Lombard alluded to such concerns so that is being implemented. A very extensive and comprehensive review of the legislative and regulatory licensing system is nearing completion, and I expect that it will be presented to the project board in the next week or so. This will address, among other things, the case for the introduction of a single consent system. Senator Burke and others have called for a single consent system. These calls have been heard but, to put it in context, forestry is a long-term project. Each of the pieces in that project can be significant land-use changes in its own right. That is why the system we have at the moment has been set up like that.

A number of Members also looked for an agreed timeframe in terms of the licensing process and for this to be enshrined in a customer charter. Again, this is our aim. We are waiting for the results of the processing legislative review which will help inform us, and help us make a decision, if we can indeed make that decision. It is worth noting that it takes in the region of about six months to get planning permission for a house. An afforestation site of 7 ha, which is the average area planted, would be a significantly more invasive aspect on our landscape than a house on maybe a quarter-acre site. To keep that in context, we do not have a really tight thing for housing planning, and I am not saying we should not have for forestry, but to keep a practical mind to it. Our average time at the moment is about ten or 11 months for a licence. It is too long. We are working to bring that back.

There is a sense from some that the rate of progress under Project Woodland has not been as quick as expected, but these are complex issues. There is no silver bullet. We need to spend the time now to get the issues resolved so that we have a worthwhile solution in the end. It is a very long-term project we are talking about, of some 20, 30 or 40 years and beyond, and we need to get it right. I hope that the recently published licensing plan for 2022 will inject some confidence into the system and will provide assurances to farmers and forest owners that we are dealing with the backlog. Under the plan we have committed to issuing 5,250 licences, with clear targets across Coillte felling, private felling, forest roads and afforestation. This target is a year-on-year increase of 30% and represents a 48% increase of private felling, roads and afforestation files. Coillte felling licences will be maintained at the levels they achieved in 2021. This is important because Coillte supplies 75% of product into our sawmills. I am aware that the committee is concerned, as we all are, with the decline in farmer participation in afforestation. This is a cause for concern, especially in light of our target of 8,000 ha of new planting per year, as contained in the climate action plan.

There are many factors that influence the decision to plant, and certainly improving licensing output has a role to play in building that confidence among farmers and landowners. That is why we intend to double the number of afforestation licences to more than 1,000 this year. It has been alluded to in the Chamber that the conversion rate from licensing to planting is at about 64%. This means we have a disproportionate amount of processing effort both by the Department and forestry companies which is essentially going to waste. We need to change that. We need to get much better at communicating the benefits of forestry to those who we are trying to encourage to plant trees. On most farms, planting can comfortably coexist with

livestock enterprises and can significantly increase the net income from the holding. Farmers who plant trees on a portion of their lands can continue to engage in their traditional farm enterprises. They can also continue to receive their basic payments on planted lands. They will receive grants to cover establishment costs, generous tax-free premia over 15 years and substantial tax-free income at thinning and harvesting times. We must work together to communicate this positive message.

Senator Carrigy asked about the 450 licence holders, which equates to about 4,000 ha, who have had a licence for six months or longer and have not planted yet. We will this week be writing to those applicants who have unused licences to remind them of the benefits of forestry and to encourage them to use their licence before it lapses. It is valid for three years. We will also ask them voluntarily why they are not using their licences. It is important to say at this point, the pressure from other land-use sectors has a significant part in this. Dairy expansion over the past eight to ten years has put pressure on land use in those areas where we might have liked to see more trees in the past. There are decisions for farmers to make all the time.

The quality of applications is a crucial factor in terms of a responsive licensing system. In three of our forestry districts, foresters can now contact the Department to have a pre-application discussion on afforestation applications. This is a pilot initiative under Project Woodland and we hope to roll it out nationwide in due course.

The committee highlighted the need to re-engage farmers and to have sufficient supports to encourage them to enter, re-enter and remain within the forestry programme. This is the last year of the current forestry programme so we are in the process of developing a new one for next year. Deputy Cahill asked whether in the years to come we will look back and ask what were we doing in 2022 to support the forestry sector. One significant aspect of this is the development of a new forest strategy for our country which aims to encompass a shared national vision for the future of forestry and trees in our environment, throughout our country. The proposed vision statement focuses on having the right tree in the right place for the right reasons and the right management. I refer to supporting a sustainable and thriving economy and society and a healthy environment. The multifunctional aspect is ever more important. For the vision to be shared with everyone, we will require broad sectoral input and buy-in, and we hope to achieve this through extensive public consultation and bilateral engagement with stakeholders. We are going to be talking to youth groups, and we have already spoken to some of them. We are going to have a public consultation and a deliberative dialogue, a mini-citizens' assembly, on the future of forestry. We have also recruited Irish Rural Link to engage with rural communities, specifically those blacked out over the years because of poor decisions in the past.

A lot of work is ongoing and much remains to be done. The idea is to have this forest strategy in place before the end of the year and to also embark this year on designing our new forestry programme. The queries concerning how long we pay premiums for, if we can go back to a 20-year timeframe and if we can increase the amounts are all issues that need to be teased out. They come at a cost to the public purse, and any proposed increases must be justified. This is an exciting year for forestry and I reiterate the importance of getting it right.

The new programme will focus on the importance of climate-smart forestry and new afforestation will be encouraged in pursuit of economic, climate, water, biodiversity and recreational objectives. The recreational perspective was raised by several Members. Senators Garvey and Boyhan highlighted the importance of trees in respect of their recreational amenity value. My Department has a NeighbourWood scheme for local communities to avail of. I visited the one

in Abbeyleix, which was the first one in Laois, several months ago. It is a 1.5-acre site close to the centre of Abbeyleix. It was a disused area and now in the years to come it will be a wonderful woodland for that community. That multifunctional aspect of forestry is incredibly important.

Later today, I will also be here for the Committee Stage of enabling legislation that will hopefully allow the small-scale planting of native trees, up to 1 ha, without the need for farmers and landowners to go through the onerous licensing system. This should appeal to certain landowners and it has the potential to increase the proportion of native broadleaf afforestation, while it will also account for afforestation levels in our carbon inventories at EU level. That can be a positive move.

Turning to another matter raised by some Senators, including Senator Paul Daly, namely, ash dieback, it is a concerning issue. The Senators might be glad to know that I will be submitting in the next couple of days a written report to the committee concerning ash dieback in Ireland and the lessons we have learned. I note that the committee supports research on the development of varieties of ash trees that will be resistant to this disease. Research is ongoing in this area through Teagasc, and our Department has funded such research initiatives. Details of the research will be contained in the report I mentioned.

Since 2013, there have been two ash dieback schemes and we have spent €7.6 million on them. The most recent scheme was set up in June 2020, just before I took up office. The scheme followed an extensive review of the previous ash dieback scheme. Under this new programme, we have received 520 new applications, representing more than 2,200 ha, under RUS. This year, we have committed to refocusing on approvals under that scheme. It has been outlined in our licensing plan for 2022 as well. The question of the grants paid under RUS is always a concern. The grants currently cover the full costs of clearing sites and replanting them with an alternative species. Perhaps we can discuss this in more detail following the receipt of the report.

The implementation of Project Woodland remains a priority for me and my Department. The project is set to address, in the main, the recommendations contained in the committee's report. While my Department must and will play its part, this is very much a shared endeavour. If all of us work together towards a common goal, we will realise the potential of forestry and trees in Ireland.

I do not think I have missed many outstanding points. I dealt with the independent review, and that has been highlighted a great deal.

Regarding Senator Hoey's question on hedgerows, what I had implied previously was not that we choose to not record them; rather, we are not able to do so yet. Work is under way between Teagasc and the Environmental Protection Agency in this regard. It is not under our Department's remit, but an effort to calculate and value hedgerows is under way. We might, hopefully, be able to measure it by the end of this year. The Senator's point, I think, was that if we were to measure this attribute, we would find that we are not in a great situation. She is right that we should not shy away from the actual situation as it stands.

Other than that, I thank the Senators again for their contributions. We must work together on this topic. We are making progress, but there is still much to do. We are certainly in a much better position now than we were this time last year or even last March. Let us build on that. I

thank the House.

**An Cathaoirleach:** I thank the Minister of State for outlining the elements of the implementation of the report by the committee. I thank all the members of the committee for their work and for their contributions here today. I call the Chairman of the Joint Committee on Agriculture, Food and the Marine, Deputy Cahill.

**Deputy Jackie Cahill:** I thank the Minister of State for her extensive reply. I will pick up on several issues, starting with ash dieback. I have been going on about this matter for a long time, perhaps even before I was the Chairman of this committee. Forestry is a farming activity. In my long experience in farming and in farming politics, this is the first time I have ever seen a response like this to a disease, and that is what ash dieback is, occurring on farms and that is completely outside farmers' control. The disease came from a biosecurity breach. If this were an outbreak of TB, foot and mouth, swine fever or whatever, there would be financial compensation for the farmers involved. A very valuable crop has been lost by a significant number of forestry plantation owners. Grants have been provided to help them to attempt to replant the land, and I fully acknowledge that aspect, but no attempt has been made to nullify some of the great financial losses suffered. Some of the plantations affected had 35 years of growth. There is a moral obligation on us as legislators to go some ways towards meeting the huge financial losses suffered by those plantation owners.

I fully accept that we have a strategy in this regard. When I referred to 25 or 35 years' time, I was talking about the lack of raw material that will be available then for our industry. Unfortunately, in recent years we have failed dismally to meet our targets for afforestation. The programme for Government refers to 8,000 ha in this regard. Stakeholders tell me that we would need applications to be submitted for 1,800 licences in 2022 and a conversion rate of 64% to allow us to meet that target. The average licence application is for 7 ha. Therefore, our targets for the issuing of afforestation licences in 2022 will fall significantly short. The figure targeted was 1,000 licences being issued, but there will be a significant shortfall in what would be required for us to meet our ambition of 8,000 ha. As was detailed earlier, achieving our objective is essential to combating climate change, reducing emissions, etc. This issue worries me.

That is the first target that it is essential for us to meet. We all get the report each week on the dashboard. A target of 20 afforestation licences per week was set. That would be a significant improvement. It equates with the target of 1,000 per year. However, that is being fallen well short of in the first two months of the year. This week, there were only nine. Afforestation is a significant issue. I am worried. In summing up, I will consider what might be done to try to rekindle it.

I wish to raise an issue in the report that has not been addressed today, that is, the issue of unenclosed land. The committee heard there are three categories: enclosed improved land, unenclosed land and land not eligible for grant aid. The committee was informed that in the past large numbers of plantations were located on unenclosed land. They were used in the 1990s, when up to 40% of lands were unenclosed lands. A decision was made by the Department in 2010 to stop plantations on unenclosed land. The committee requested the Department to review this decision. As much land as possible needs to be utilised if Ireland is to meet its annual afforestation target. This was a national decision in 2010 to have a blanket ban on plantations on unenclosed land. There is also a blanket ban on afforestation on designated land. There is a growing opinion that different stages of afforestation on designated land is good for the creation of habitats for the species they are designed to protect, such as hen harriers, etc. I am not saying

we should go out in the morning and plant 100% of unenclosed land or designated land but a significant volume of scientific research states that planting 5% every third year or fifth year and having different stages of afforestation growth on designated land and unenclosed land could have a serious beneficial impact on the habitats we are trying to protect. I ask the Minister of State to review that decision in respect of unenclosed land and to revert to the committee with that review to see whether the national decision made in 2010 is in the best interests of what we are trying to achieve.

To conclude, we are all on the same page; we want a successful forestry sector. We want to meet our afforestation targets. We want that to play a significant part in climate change, the reduction of emissions and the carbon sequestration it can deliver. I have two points to make to the Minister of State. I know she has a review going on. First, the schemes should be made financially attractive. Afforestation should be made an attractive form of land use. That is the first essential thing. It may involve increasing the premium per hectare. We have to revamp things and make forestry a financially attractive option for landowners once again.

Second, there should be a one-licence system. I ask her to take away bureaucracy from the licences. When one plants land, if it is a commercial crop, then, as surely as night follows day, that land will have to be clear-felled in 30 or 35 years. There is a need for a one-licence system or a one-stop shop to reduce the bureaucracy and take it out of the licence application process. If we concentrate on those two things, we will rekindle interest in forestry and will have a forestry sector that will deliver what we all want to achieve.

Question put and agreed to.

*Cuireadh an Seanad ar fionraí ag 2.44 p.m. agus cuireadh tús leis arís ag 3.36 p.m.*

*Sitting suspended at 2.44 p.m. and resumed at 3.36 p.m.*

## **Planning and Development (Solar Panels for Public Buildings, Schools, Homes and Other Premises) (Amendment) Bill 2021: Committee Stage**

### SECTION 1

Question proposed: “That section 1 stand part of the Bill.”

**Senator Pauline O’Reilly:** The Minister of State, Deputy Peter Burke, is very welcome. As he knows, it was some time in the middle of last year when we considered Second Stage. I felt the legislation should have progressed by this stage so I hope the Minister of State will assure us today that everything in our Bill will be implemented in the Government’s own regulations. I look forward to his comments on that.

Thanks to the Cathaoirleach, we had Ms Mary Robinson in with us yesterday. It seems like a week ago at this stage.

**An Cathaoirleach:** It is a long day.

**Senator Pauline O’Reilly:** She spoke very inspiringly about the need to use this Chamber to deal with the issues of the day. As she sees it, the number one issue is the climate crisis. We

can use this Chamber on a cross-party basis to highlight the things we can all do in our lives to implement the changes required. Ms Robinson, like many of us, identified that the messages are not necessarily trickling down to every place where they are needed. While we have passed a climate Act, how much do people in our community feel that they can really make a difference? This Bill is critical in that jigsaw.

Can the Minister of State imagine solar panels on all our schools, community buildings, churches and farms, with local people doing the work and with the involvement of children, community groups and towns? That would make everybody buy into the fact that we need climate action. Not only that, it would put money in people's pockets. A school is not operating throughout the summer, yet if it had solar panels installed it could sell energy back to the grid, make money for itself and see the fruits of its labour.

We are aware that the microgeneration scheme is on its way very shortly. This Bill would ensure that when it is delivered, all our communities could benefit straight away. Having recently had solar panel installers in my house, they wanted to know when the Government was going to deliver on taking away the regulations on commercial and community buildings, because it is quite arbitrary. I have spoken to many Senators who have tried in their own communities to support groups, schools and community centres, which I have also done, in trying to get solar panels up and running about this. Many people do not realise until they go through the process that people can get solar panels on their homes, but when it comes to schools, any solar panel array has to go through planning. This also applies to farms and community buildings. It does not make sense for a country that professes to be a leader when it comes to climate action. There is significant red tape and cost involved. If there is some change in the middle of the application whereby a solar array should have been placed in a different place, the applicant has to go back to the start and look for planning permission all over again, which is what happened to the school I was involved with. The problem, as I am sure the Minister of State will be well aware, is that all development, unless specifically exempted under section 4 of the Planning and Development Act 2000, or Schedule 2 of the Planning and Development Regulations 2002, requires planning permission. This includes solar panels. This legislation goes back 2000. The question must be asked, and I am sure will also be asked by Friends of the Earth Ireland: why is it taking so long? When we introduced the Bill last year we had the Minister of State's assurances that it would have moved.

Not only do the issues relate to community buildings, they also relate to the size of solar arrays on houses. Assuming we had larger roofs, which in my cases I do not, it would be possible to have larger solar panels. This is what we need to get to so that everybody buys into this.

The Minister of State will have an opportunity to reply and we are all really looking forward to what he will say. We are anticipating that it will be good news. I am aware that concerns have been raised regarding glint and glare around airports. In other countries, they simply fence off that area. These are small areas and this is done in a very strategic basis. For God's sake, we do not have that many airports in the country. Although some might say that we need more in some parts of the country and we need to keep them open in others. It is not rocket science. Obviously, we need to do a strategic environmental assessment, but we do not need to be going to the nth degree. I will let the Minister of State reply on that and tell us what we need from his perspective. I thank him and no doubt I will talk about this again.

**Senator Róisín Garvey:** Gabhaim buíochas leis an Minister of State, Deputy Burke, as teacht isteach inniu. It is good to see him in the House to take this Committee Stage. This is

a very important Bill. Even though it is quite a short Bill, it is very important. As the Green Party spokesperson on rural development and as somebody who has worked with schools for 14 years trying to help them to be greener, this day has been a long time coming. I look forward to hearing about the progress that the Minister of State has for us on this Bill, and when we can see it come to fruition. The Green Party has been fighting for this for an awful long time. It is really good to see the Bill reach Committee Stage. It is definitely now time to dot the i's and cross the t's and bring it home.

The Bill will specifically allow people to be exempt from planning permission for solar panel installation, which will extend to public buildings and schools. It removes the restriction that limits the area of solar panels allowed on a roof to 50%. This means that a solar installation of almost any size could be installed on a building. It increases the allowable size of a freestanding, ground-mounted area up to 100 m<sup>2</sup>, from 25 m<sup>2</sup>, and it increases the allowable height from ground level of freestanding solar arrays from 2 m to 4 m. This is a no-brainer for our country. We have a climate emergency and we have huge increases in electricity bills. This needs to happen yesterday.

There are 137,500 farms in the country, the majority of which have at least one shed roof suitable for solar. Our family farm at home has photovoltaic tiles on the shed roof. One young farmer raised an issue with me recently when I met with Macra na Feirme representatives. He was thought that they might be too heavy for sheds, and that a farmer might need to build a special shed. In case people are worried about that, the technology has come a long way. First, it has reduced in price by approximately 90% over the past ten years. Photovoltaic panels are lighter than ever before, and they can be bolted on within a couple of hours. I have seen this done first-hand. For the farmers of Ireland, for the schools of Ireland, for the community halls all over the country, the 4,000 schools and 2 million homes, this needs to happen as soon as possible.

I believe that the Minister of State has progressed the legislation and I really look forward to him proceeding with it. Not only will it enable people to create their own energy, the dairy farmers have huge electricity bills running the dairy and milking machines. This really has to be prioritised within the Department, so that we can see this pushed ahead now and not delayed any further. We introduced this on First Stage almost one year ago. We thought that would be it and that we were nearly there. People were harassing us and asking where the Bill was that we promised them. It looks like we have not been pushing for it but we have been shouting about it for ages. We have it in the programme for Government, we have committed to it as a coalition, and we said that we would conclude the review of the current planning exemptions related to solar panels. We said that we would expand and incentivise microgeneration, including rooftop solar energy, and we said that we would develop a solar energy strategy for rooftop and ground-based photovoltaics. Photovoltaic solar panels are the newest form of solar panels we have. Some people used to have a water solar heaters, whereby one had columns of water in the solar panel which were heated by the sun. This photovoltaic technology is a game changer because it makes electricity and does not actually need lots of sunshine. It just needs daylight. It is very important that we put the power and the energy back into the people's hands at grassroots level who want to do their bit and reduce their bills. God knows farmers are struggling enough at the moment with all of the rising costs, including for diesel and nitrates.

While I recognise that the Minister of State has lots of priorities, I urge him to do his level best to prioritise this Bill and move it forward. I thank my colleague, Senator Pauline O'Reilly, for her work on this, and the members of the Department who have worked hard on this. I be-

lieve that we are ready to go and I really hope we can do this. I have had several meetings with the Irish Farmers' Association, which would also like to see this progress.

**Senator Niall Blaney:** The Minister of State is very welcome here today to deal with this vital legislation. I commend my Green Party colleagues on taking it forward. Senator Garvey has been pushing the merits of this very step on me for some months now, and I am fully in agreement with her. It is excellent legislation. The Fianna Fáil party is very much in agreement with the principles of the legislation. It is absolutely imperative that we now take these steps in our efforts to become a much greener society. At a time farming is being asked to step up, here is a win-win situation for the Government and for farming across the State. There was a lot of investment by the Government around 2007 and 2008 in farming to improve the regulation and operation of farms and there was investment in farm sheds and slurry pits. A lot of that investment was done to a very high standard. The number of farms, even small farms, across the country that benefited from that gives us the opportunity to build on our electricity network through having the ability to put panels on these sheds, which are of a very high standard and are absolutely capable of taking solar panels. As Senator Garvey explained, the panels are not heavy anymore. It is imperative that the work starts and that the roll-out of the meters also happens.

Moreover, while this may not apply directly to the Minister of State but more so to his colleague in government, the Minister, Deputy Ryan, it is imperative that there is an incentive to farmers for the use of solar farming. The threshold of 50 acres or thereabouts is currently too high and needs to be reviewed. If we in government are to be real about this, those thresholds need to be reviewed to ensure that solar farming becomes a much more inclusive way of creating energy in the State. I believe that those small steps can go a long way to us meeting our targets.

My last point is on the use of roof space and the fact that panels can currently only use 50% of roof space. There is a lot of waste attached to that. There is at least another 25% in most cases that can and should be used. I hope the Minister of State can build that into the legislation we are debating.

**An Cathaoirleach:** Does anyone else wish to speak to section 1? There is no rota; Senators must indicate.

**Senator Sharon Keogan:** I am sorry; I indicated that I wanted to speak. I think it was sent through that I was speaking on this Bill. Was it not confirmed?

**An Cathaoirleach:** I have a long list of speakers and most of them are not here. Anybody who wishes to speak must indicate.

**Senator Sharon Keogan:** Okay. I prepared so much. It is not often I get to support the Green Party colleagues. I want to commend them. This is an important Bill on which the Minister of State can act on very swiftly. I support it as it will allow for an immediate exemption from planning permission for solar panels on schools. It will also provide for the removal of other restrictions on solar panels from the planning regulations for homes and businesses. There is a growing demand for the installation of solar panels on homes, schools, community buildings, farmhouses and businesses across Ireland. There is potential for economic benefit for citizens and communities from the installation of solar panels, including a reduction in electricity bills and income generated from selling surplus renewable electricity. Planning



permission is currently required for all solar panel installations on educational and community buildings. As a result, communities and schools have generally not invested in solar panels, given the considerable time, effort and money associated with obtaining planning permissions. This Bill removes that cumbersome task.

Regulations also require planning permission for any solar panel installation on homes or businesses that exceed a small size and area. I support the measures providing for the deletion of that restriction on the area covered by the solar panel on homes, businesses, light industry buildings, public buildings, schools and agricultural buildings. The amendment of Schedule 2 removes the restrictions applicable to light industrial buildings, removing the 50 sq. m threshold. In terms of enabling industry to participate in energy transition, the Bill confirms that the removal of this specific planning restriction applies to larger commercial buildings, which is welcome.

My only cautionary note would be on the disposal of solar panels and how we deal with that. Under EU law, producers are required to ensure their solar panels are recycled properly. In 2018, the first EU solar recycling plant opened in Rousset in France. Globally, the vast majority of dead solar panels end up in landfills where valuable metals and materials inside them are lost. Even when solar panels are recycled, these materials are rarely recovered. Instead, recyclers typically remove the aluminium frame holding the panel together, strip the copper wiring off the back and shred the panel, creating a solar hash that is sold as crushed glass. We need to develop new bespoke solar recycling methods to ensure the silver and silicone as well as the tin and lead in the panels can be reused.

While less than half a million tonnes of solar waste existed globally in 2016, the International Renewable Energy Agency has predicted that by 2030 that figure could rise to 8 million tonnes. By 2050, we could be throwing out 6 million tonnes of dead solar panels every year, nearly as many as we are installing. Some 78 million tonnes of panels will have reached the end of their lifetime. That is a staggering amount, undoubtedly, and it does not even begin to paint the whole picture. Those predictions are premised upon customers keeping their panels in place for the entirety of their 30-year life cycle when we know and the data will tell us that some of them will only last 15 to 20 years. They do not account for the possibility of widespread early replacement as a result of increased efficiency of later models. Last year, the Harvard Business Review publishing model, which predicts up to 50 times more solar waste than predicted by Arena, stated that the solar production boom has left its recycling infrastructure in the dust. It is all very well and good to throw these panels up on every flat surface in the country but if we do not invest in the recycling technology necessary to process them, we are kicking the problem down the road for future generations. Investment in a recycling solution for these panels might be a way forward. That is the issue in respect of the recycling of defunct solar panels which will emerge here in ten to 15 years' time.

Friends of the Earth has obviously been very keen to push the Bill forward. It has done some very good work on the issue. It highlights that the Minister of State and the Minister in the Department of Housing, Local Government and Heritage unexpectedly raised an entirely new issue in 2020 regarding the potential of glint and glare at airports from solar panels and noted the need for yet further research over the course of this year before any changes regarding permission can be made. This is despite Dublin Airport already having a major solar panel installation in place since 2019. In 2021, the Department noted it intended to produce some form of interim planning regulations for solar panels in quarter 1 of 2021, which would work around potential aviation issues. In March, this was changed to quarter 2 of 2021. In April,

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the Minister noted revised regulations for solar panel exemptions would be submitted shortly to the Oireachtas for approval. However, in June it was noted that a strategic environmental assessment was now necessary which would take four to five months. I am wondering where we stand with that. This deliberate delay - perhaps it has not been delayed further - or deprioritising of this issue must not be allowed to continue. The Government should introduce an immediate amendment to the planning legislation for solar panels to proceed with only limited updates on these amendments. That is what Friends of the Earth is recommending.

I fully support this legislation. I have an issue with the recycling of solar panels but I am sure the Minister of State is able to address that.

**An Cathaoirleach:** We are speaking to section 1. As we are on Committee Stage, I ask Members to stick to the amendments. Senator O'Loughlin is next.

**Senator Fiona O'Loughlin:** It is a great pleasure to speak again on this very worthy Bill. I spoke on Second Stage also. When we think of solar energy and the impact of having solar panels on our schools, what greater lesson and leadership can we give our young people, who are very often leaders in this area? It is a strong statement in any community when we see public buildings with solar panels, be they schools, Garda barracks, community centres or council offices. It is to be welcomed.

I agree, of course, with the principle of planning permission. We need strong regulatory powers around planning. However, quite often there is too much red tape and bureaucracy. The regulations are very cumbersome. It is an excellent idea proposed in the Bill by the Green Party to ensure that planning permission is not needed for solar panels, starting with public buildings in particular, but including schools and some business premises. Among the largest expenditure items that school boards of management have to pay are electricity bills. There would be a real boon in that respect also.

The Government needs to look at the possibility of providing grants that would follow this legislation to enable schools to have solar panels. They should be mandatory for any new public buildings or schools built in the future. The fact that a new special educational needs, SEN, classroom is now mandatory in all school buildings is wonderful but we need to follow that with solar panels. Solar panels could give rise to a wealth of new employment and industry. We know there will be a wealth of new jobs for young people, those who are in school now or starting first year in September, by the time they finish school or college. They will be in jobs we have not thought or dreamed about at this point. The current drive towards apprenticeships within higher education means there is no reason we cannot have plenty of new jobs and positions in this whole area of retrofitting, solar panels and so on.

The retrofitting scheme announced last week is very important for areas that have been impacted by the move away from fossil fuels and carbon industries, including my home county of Kildare. The emphasis on just transition and retrofitting should also be put on other areas such as solar energy.

*4 o'clock*

I welcome and support this Bill. I commend my colleagues in the Green Party on supporting it. The Bill and other associated measures will also support Irish communities that wish to take part in Ireland's renewable energy transition. There are over 500 sustainable energy communities across Ireland supported in a network through SEAI. To refer to the previous speaker,

there are three ways of recycling solar panels. I need not go into it as I have no doubt that the Minister of State will. There certainly are ways, as there should be, of recycling solar panels.

**Senator Mark Wall:** I welcome the Minister of State. I will not take up too much time as I am anticipating his reply, which we all await. I thank my Green Party colleagues for bringing forward this important Bill. My colleague, Senator Moynihan, spoke at length about our support of the Bill on Second Stage.

Senator Pauline O'Reilly spoke about the comments of the former President, Ms Mary Robinson. They were important comments and are apt for this debate today and the fact that we are on Committee Stage. We have heard the words "action now" and "crisis" previously, but this is an attempt by my Green Party colleagues to introduce something practical for our communities, schools and, most importantly, the agricultural community. It is an important Bill and an important step forward. I look forward to supporting it. As I said previously, the cost of insurance, the cost of diesel and so forth for communities, community buildings and the farming community are rising but here is something we can give back to them. Most importantly, I look forward to a positive reply from the Minister of State.

**Minister of State at the Department of Housing, Local Government and Heritage (Deputy Peter Burke):** I am conscious that this is the Senator's Bill. In the first instance, the Government is supporting it. We have no issue with the Senator's right to bring the Bill forward, but we believe that secondary legislation is the most appropriate mechanism to deliver this vital change. I listened to the Senators articulate their points of view on the benefits of this exemption and I fully agree with them. It has to be done, and we are doing it as quickly as we can. However, that does not give me, or anyone else for that matter, the right to evade or ignore the environmental thresholds that we have to go through.

In line with the strategic environmental assessment directive, we must have an SEA. We have done that. We engaged further through that with the Minister for the Environment, Climate and Communications, Deputy Eamon Ryan, and his Department and it has been said clearly that we need a number of exemptions and exclusion zones. These exemptions will cover over 90% of the country. We need exclusion zones around airports. That necessitates going through an appropriate assessment, AA, which is currently working its way through the process. We have to go through the habitats directive in terms of an ecological assessment of what we are doing here. In the meantime, the SEA had to go through the tender process. That has concluded and, hopefully, the appropriate assessment will be finished shortly. Then it has to go to public consultation in line with the Aarhus Convention. There are significant environmental thresholds to go through before we can deliver this in a proper manner. One can quote Friends of the Earth and other organisations, but if I were to ignore environmental thresholds for another piece of public infrastructure, people would not be long in telling me I was doing something wrong.

This is a key, appropriate change and exemption that is badly needed in society and badly needed for schoolchildren so they can grow up in a culture where they can see we are being responsible and delivering a change and transition in our economy from the ground up, but it takes time. Unfortunately, swiftness and environmental thresholds do not always align. One has to go through the process set down in European directives and SEAs, and quite rightly because we have to see any impacts or unintended consequences they may throw up. That takes time. I appreciate that it can be frustrating, but we are working as hard as we can. We expect to have it concluded within a few months. Consultants have now been appointed through the

SEA process. We are waiting for the ecological study to be returned, which we do not expect to take too long. However, we still have to go through that process. Obviously, with that we have to get a positive resolution from both Houses of the Oireachtas, and we do not anticipate any issue with that. We have to hear the submissions and what people have to say as well through that process. It takes time, so I plead with people. There is no issue with the Bill going through the House. That is quite right to keep the pressure on the topic. At the same time, however, the proper and appropriate mechanism is through secondary legislation, and that is the process in which we are engaging.

**Senator Pauline O'Reilly:** Nobody is suggesting not going through proper environmental measures, but this all comes down to when does one start the process. We were under the impression that this was going to start much earlier. To be fair to us, there must be a recognition of that. We have given a lot of time to the Department in order to make this progress. An SEA is not an extremely arduous thing to do. We are not talking about measures that might require an integrated energy plan, for example. That is not the level of environmental scrutiny that is necessary here. I had hoped that it would have been done by the end of last year. Regarding the assurance the Minister of State is giving, he says it will be done in months, but I would like to know how many months. My understanding is that the public consultation would take eight weeks.

**Deputy Peter Burke:** It is four weeks.

**Senator Pauline O'Reilly:** That is even better. There is an AA for two weeks and then there is a four-week period after that. Is that correct?

**Deputy Peter Burke:** We are awaiting the ecological assessment as well. A lot of these things can-----

**Senator Pauline O'Reilly:** I am sorry, a Chathaoirligh, for having this little chat.

**Deputy Peter Burke:** We are awaiting the ecological assessment, but once we get that we will move on it.

**An Cathaoirleach:** Does the Minister of State wish to intervene?

**Deputy Peter Burke:** No, it is okay. Once we get those back we will move on it, but it takes time. As frustrating and as important a piece that it is, it takes times.

**Senator Pauline O'Reilly:** Does the Minister of State have a time for when that report will come back?

**Deputy Peter Burke:** I cannot give an exact time, but it is rated very urgent by the Department. Second, we had that bilateral engagement with the Department of the Minister, Deputy Eamon Ryan. The Irish Aviation Authority has raised the issue of glint and glare. It obviously requires an exemption exclusion zone because 90% of the country will be covered. To do that and carry out that mechanism, it must go through that threshold. That only emanated over last year from those negotiations. Many individuals probably thought it would be more straightforward to do, but once we went through the process it threw up that it was necessary to go through more mechanisms. We just have to do that. Unfortunately, they all cannot run side by side all the time.

**Senator Róisín Garvey:** I wish to clarify something. I appreciate that everything has to

be done properly and in the context of ecological constraints and so forth. Most of this is going on existing sheds, so there is just the issue of the on-the-ground stuff. The glare issue has come up in the UK and that has been covered, so it is not as if we have to reinvent the wheel in that regard. To clarify, we are waiting for the ecology report to come back and we do not know when that is due. Have we to wait for that to come back before starting the public consultation? If that is the case, how long will the public consultation be? After the public consultation is finished, what is the timeline then? We are being asked these questions all the time, so I am putting them to the Minister of State.

**Deputy Peter Burke:** In the first instance, we have to wait until the ecological assessment is back. We have appointed the consultants so we can immediately commence the SEA then. There is a four-week consultation period built into that. Once that happens we will come straight to the Houses of the Oireachtas with them. We will act very quickly on this. The Senator says the UK has done this previously. This is a very different country and we have different environmental impacts.

**Senator Róisín Garvey:** The issue with anti-glare is the same in every airport in the world.

**Deputy Peter Burke:** It is the environment surrounding it; it is totally different. One has to go through the thresholds. I cannot just say that the UK did this so I do not have to do it. We have to do these things.

**Senator Róisín Garvey:** I am not saying we should be dismissive because it has been done in the UK. It is just that the glare issue-----

**Deputy Peter Burke:** We have to go through it.

**Senator Róisín Garvey:** Yes, I understand that. I thank the Minister of State for the timeline. It gives us more of an inkling.

**Senator Pauline O'Reilly:** I wish to make a brief comment. I thank the Minister of State for the information he has given us today. I believe the issue of glint and glare was raised on Second Stage, so it is not a new thing since then. In any case, it is very good news today and we appreciate it. We look forward to progress within the next couple of months.

**Senator John Cummins:** These are very important changes that we are seeking to introduce. This will play a critical role in us being able to achieve our climate targets. I share the frustration the Minister of State clearly has in terms of the time it takes to get things done. In fairness, we probably are moving at the pace allowable under the process. For other projects - I do not want to mention roads - such as housebuilding, a process has to be gone through. Appeals can be made to An Bord Pleanála and there can be judicial reviews. It can be very frustrating. We, as politicians on the ground, want to see quicker actions. In fairness to the civil servants, they too want to see quicker action on it.

It is welcome that we have a definitive timeline in for the process, including the SEA, the AA and the habitats directive that we have to go through to get this over the line. The most important thing is to be able to have microgeneration such that rural communities are able to chip in and be part of the national effort. That is what we are collectively trying to do as a Government. Do I wish we could do it more quickly? Absolutely. I wish the Minister of State well in overcoming any hurdles that may exist.

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**Senator Vincent P. Martin:** I wish to support my fellow Green Party Senators and also welcome the Minister of State to the Chamber. I thank him for giving us updates from time to time. I assure him that his words are recorded on the transcript, photocopied and sent out to dozens of people who are hanging onto every word he says regarding when this will actually happen. I welcome his reaffirmation in that regard today and his commitment. I recognise it is a complex challenge.

At the heart of the Bill are the words “exempt developments”. With exemptions come due diligence. I accept all that. I also accept, as do all present, that harnessing solar energy is a key response to the energy crisis. To have such draconian restrictions in respect of the roofs of private dwellings, farms and schools makes no sense and, therefore, I am glad the Government is recommitting to this and it will happen as soon as feasibly possible. The Bill will go some way to redressing and tackling the climate crisis.

We are entering a new era. It is like a solar revolution that is akin to the industrial revolution. It is so important in this new and modern time that we bring people with us and everyone feels a sense of ownership and buy-in and embraces it. I do not want communities to tolerate it; I want them to embrace it, if it is done properly. Consultation will be at the heart of that, apart from in the context of the exempt developments we are discussing. It is so important that there are no reversals or a prolonged period of uncertainty with matters caught up in the courts. It might well be that the non-exempt developments of large-scale solar will pass planning, but if we do not have Government policy guidelines in respect of placement, volume, categorisation of land usage, which we do not at the moment, that will cause issues. Without drilling down too deeply, if the Supreme Court or any of the superior courts got their teeth into it, I am not sure where that would leave us. While it is critical that there are no reversals and that we embrace this, I do not want this revolution to be stymied in the absence of Government policy on those important matters coming down the road in respect of large-scale solar energy. I hope the Minister of State takes that on board. He may be able to indicate that guidelines are coming down the line, because they are in place in other countries from which we can take a lead. There is an need to put some order on it.

It should be a happy revolution. To have a happy revolution, order, certainty and ground rules must be at the heart of it. If that is not the case, it will prove counterproductive, could get lost in the courts and will end up going the same way as previous attempts, such as the ten years lost on wind energy. Solar energy is clean and green and to be embraced, but I emphasise that it must be done properly. I appreciate the diligence of the Minister of State in respect of the exempt developments, but the non-exempt ones are coming down the tracks speedily. It is so important that there be guidance and a direction from the Government in respect of what people can expect and know about those larger-scale developments.

**An Cathaoirleach:** I remind Senators that we are on Committee Stage and dealing with section 1. I have allowed latitude but that latitude is over. I ask Members to stick to the section.

**Senator Fintan Warfield:** It is fair to say that things take longer when a fire is not lit under an issue or the Government. There is a fire under every one of us; the planet is on fire and people are impatient for change because they have been calling for it for so long. The Minister of State can come in and say the Government has started this, probably with thanks to the Green Party and the programme for Government, but communities, activists and my party have been calling for this for many years. The Bill is important and I will not delay it any further. I refer to the Government being able to do this by regulation. We just want to see it done so that

schools can avail of the opportunity to lower their contribution costs, reduce their electricity bills, heat water and sell their excess energy back to the grid. These are all issues that I raised and were discussed on Second Stage. It is important that people are lighting a fire and being impatient with the Government on this because doing so moves the issue on. We respect that there are procedures the Government has to follow but it is important that we light a fire under the Government to do its job.

**Deputy Peter Burke:** I do not have anything further to add. We are all aligned. I will not delay the Bill. The contribution of Senator Martin was very apt. We are all in agreement.

Question put and agreed to.

Sections 2 to 5, inclusive, agreed to.

Title agreed to.

Bill reported without amendment.

**An Cathaoirleach:** When is it proposed to take next Stage?

**Senator Pauline O'Reilly:** Next Tuesday.

**An Cathaoirleach:** Is that agreed? Agreed.

Report Stage ordered for Tuesday, 22 February 2022.

*Cuireadh an Seanad ar fionraí ar 4.19 p.m. agus cuireadh tús leis arís ag 5.32 p.m.*

*Sitting suspended at 4.19 p.m. and resumed at 5.32 p.m.*

## **Animal Health and Welfare and Forestry (Miscellaneous Provisions) Bill 2021: Committee Stage**

### SECTION 1

**Acting Chairperson (Senator Gerry Horkan):** I welcome the Minister of State, Senator Hackett. She is a Member of this House, but she is also a Minister of State, which is relatively unusual. Amendments Nos. 1 and 2 are related and may be discussed together by agreement. Is that agreed? Agreed.

**Senator Alice-Mary Higgins:** I move amendment No. 1:

In page 5, line 24, to delete “This Act” and substitute “Subject to subsection (3), this Act”.

Amendment No. 1 facilitates amendment No. 2, which proposes the insertion of a substantial new subsection into the Act. The subsection proposed in amendment No. 2 is a longer amendment than I would usually submit. That is because there is a significant and real concern about the way these issues have been addressed and the fact that these provisions which change the Forestry Act were introduced by ministerial amendment on Committee Stage of the Bill in

the Dáil. They were not there, for example, when issues of pre-legislative scrutiny were being considered and they have not undergone the same kind of process. We have a Bill tackling the very important issue of fur farming among others, which I know colleagues in the Chamber are going to speak to, and then we had a very substantial shift in forestry added in, which gives extraordinary discretionary powers to the Minister.

It is important that we make it clear that we cannot simply choose to pull the Forestry Act and its applications from a number of areas. One of the very first areas that was debated in the other House was the forestry licensing issue. A former Minister for Agriculture, Food and the Marine in this Oireachtas acknowledged that Ireland was performing incredibly poorly and had been pulled up by Europe for failing to apply proper screening and failing to deliver proper procedures in our approach to forestry licensing. That was the core cause of why we had appeals. It was because we were not doing things right. That was two years ago. What the Minister of State should be bringing through to us is examples of how we are improving forestry licensing, screening and environmental assessment, and how we are thinking about things better, not more and more attempts to get out of it and to not have to do it. If in the past two years we had put the same energy as a State into significantly improving environmental assessment, appropriate assessment and screening and doing the groundwork, we would not have yet another measure which says “Can we just skip this bit?”. We cannot skip it. There are European laws. If the Minister of State wants to bring in measures allowing for exemptions from the system that we have, she must make sure she does everything that those systems do.

This is a very roundabout attempt to take a shortcut that is going to delay progress in forestry. For example, it would not be appropriate to commend section 9, which deals with the exemptions for forestry, unless there had been, as is set out in the amendment, a report on all of the areas where there are sensitivities and unlicensed planting could not be permitted. Those are areas sensitive for reasons of biodiversity and landscape. We know that Ireland is lagging behind in its designation of special areas of conservation and natural heritage. That is not to say that forestry planting might not happen in those areas, but it must be done in an enlightened and proper way. There are areas that are sensitive for archaeological and additional reasons. These are all factors that need to be properly considered. The Oireachtas must have this on the table, agreed and clear, before we can agree to the Minister’s suggestion of removing the safeguards that currently exist.

The completion of assessments that are required is fundamental, as is public consultation on the draft regulations. I will go into a couple of them in more detail. This is going to be a very substantive amendment because it is trying to repair the multiple gaps in what is currently proposed. It also specifies that there would be a report on what the system would be in terms of providing visibility and tracking of which areas might be exempted and ensuring compliance with the directives on the access to information and the Aarhus Convention on public participation in decision-making. I am not trying to add these in; they already exist, I am pointing out that the Minister cannot simply remove them or bypass them. The systems are already there and if the proper resources were put into them, they could be operating and could deliver.

In later amendments I outline that I am very happy for the Minister to have additional incentives and grants for native trees, but what we cannot do is try to move out of the system. I will go through a couple of the pieces that have been here, such as the fact that there is an attempt to remove some of the measures in terms of consent. We know that the European legislation is very clear that we cannot bypass the consent legislation for afforestation. For a plan, we need to have screening for projects. In the case of each project, we must ask whether it needs an



environmental impact assessment or an appropriate assessment. That mechanism needs to be there, and it is not currently in the Bill.

Regardless of its size, a forest is subject to the European obligation for screening and proper consent processes still apply to it. The climate argument is being invoked. I believe we need to have more afforestation in terms of climate action, but even the Climate Change Advisory Council is extremely clear in its technical document that it must be “the right tree in the right place”. That is a phrase the Minister of State has used and yet what is proposed here is a kind of a blanket space that says here are some trees and as long as the space is a certain size-----

**Minister of State at the Department of Agriculture, Food and the Marine (Senator Pippa Hackett):** I do not know about that.

**Senator Alice-Mary Higgins:** That is what it says. Unless it is a certain size, there are certain trees that can be planted, and, just to be clear, there is also the description of a “native tree area”. That is still a forest under the EU definition of “forest”. The Forestry Act is also very clear that a threshold of anything under 0.5 ha can still be a forest. The EU forestry strategy is clear that is a forest. We will come to some of the amendments in respect of size later in more detail. However, half an acre of trees in the wrong place, which is environmentally sensitive or that creates problems, even if they are trees we support and want, can create issues and be in breach of these screening mechanisms. I will come to later amendments in which I will suggest where the Minister of State could remove some parts of section 22 but the parts on screening just cannot be removed.

I will also note section 1(2)(d) which refers to the “system established to provide visibility and [the] tracking of the exempted areas ... to ensure compliance with the ... Access to Information, Public Participation ... and Access to Justice ...”. The public have two important rights under EU law, that is, environmental information and consultation. At the moment, this legislation removes certain kinds of planting from those mechanisms with simply a promise that there may be ministerial regulations that may address them. It does not address those issues, however. People are entitled to know exactly what is being planted and where. That environmental information can be really important in terms of rivers, archaeology, heritage and species. It is also important even for a nearby organic farmer in terms of what the impacts might be because plants relate to each other.

It is important that people have access to a consultation and, again, by taking this approach to move some of these area outside the normal forestry licencing plan, the Minister of State is cutting across people’s rights under the Aarhus Convention in terms of consultation on these decisions and these kinds of planting. That is again a very serious concern.

I want to go a little wider than that and I say this because I really want to see it. I wish the past two years had been used not to evade but to improve. If we try to take shortcuts, it will take us longer. That is what we have seen again and again. We saw it with forestry when attempting to take shortcuts on forestry licencing created the dynamic whereby many appeals had to be taken and many were won because the right things were not applied originally.

Similarly, a former Minister sat in the Minister of State’s place with a heritage brief in one of the first and longest debates we ever had in these Houses during the previous Seanad, which was on the heritage Bill. That Bill, again, wanted to speed up and make it easier to do certain kinds of cutting and try to widen the period of time. By doing that and doing it wrong, we were

left with something that did not work and that could not be applied.

When the Minister of State is speaking to colleagues or when Ireland is trying to, for example, get recognition for the carbon sequestration of our forestry, plant these native trees we all want to get planted and have them included and ensure that people get credits and funding for them, and, again, I specifically support the idea of grants and supports in this area, they are going to find that because there is not proper environmental legislation, tracking or licencing, it will be very hard to have a proper measurement that will stand up in terms of people being able to access European supports, funds and, down the line, carbon credits in that respect.

The point we made on hedgerows was that they moved away from where people had to contact local councils and notify them that X, Y or Z was happening. If, for example, a hedge was being grubbed or removed, permission would have to have been sought. When it was left to a discretionary measure, however, it meant that when Ireland said we have X, Y or Z number of hedgerows, it could not stand over it because it was not being monitored in the same way. There is no tracking of it. We are creating a hostage to fortune in that regard for those who want to have this as an area in the future. We will come to this but I will point out that one of the caveats here is that for some of the measures, there is not a protection against this being commercial. There is not a protection against this being, for example, for crops. I will come to that in a later amendment but those are serious concerns.

I mentioned hedgerows. This is one of the really important parts of this amendment and why I hope that if the Minister of State will not accept it, she will table her own amendment to make sure all of this is in legislation and not in statutory regulations that may come later.

I refer to the issues of biodiversity. What we do not want and what is not protected against in these proposals is a situation where we have biodiverse scrub, hedgerows and plants already there, which are, in fact, sequestering carbon. We know some of the most damaging points in carbon emissions release are at the points where, for example, there is mass grubbing, clearing of land or clear-felling. We do not want a situation whereby we are effectively having emissions created in order that people can access grants to plant native trees and because we do not have the proper biodiversity measures in that regard, we are again creating a jeopardy and Ireland will not be able to guarantee that is not what has happened. That is not what we want to happen or what will happen. In fact, in many cases, planting can be done in a way that combines other planting and other biodiversity that is there. We should aim for a biodiverse, ecologically rich forestry, which people then get rewarded for planting, supporting and caring for but, again, the measures are not there in respect of biodiversity protection and ensuring that an inadvertent consequence or perverse incentive is not created.

This is a very lengthy amendment because I am trying to insert four provisions in the Bill that are not in it but need to be for it to be fit for purpose. I hope the Minister of State might accept this amendment and make it so that these measures would take place before section 9 would be commenced. However, I will also ask her to place these measures in the Bill itself. If she is proceeding in this area, we need primary legislation. We cannot have slippage from where Ireland already has a very poor reputation and credibility that will go against us at European level in terms of the implementation of environmental criteria. We cannot be seen to be slipping further away from that.

**Senator Tim Lombard:** I want to speak to amendment No. 9. In this House a few hours ago, several Members were present when we debated the forestry industry, including the Min-

ister of State. It was a really important debate. We spoke about the report that was published 12 months ago, which was debated again today, and that outlined the 12 recommendations required for the industry to move forward. The Minister of State gave a very comprehensive response regarding those issues.

For those of us who have read the report and know the absolute chaos the industry has gone through over the past three years, in particular, the afforestation part was the crying shame. Because of what happened and because of unbelievable objections and confidence being sucked out of the industry, the afforestation programme fell to less than 30%. That is a blight on all our houses, in some ways.

*(Interruptions).*

**Acting Chairperson (Senator Gerry Horkan):** We are dealing with amendments Nos. 1 and 2 at the moment.

**Senator Tim Lombard:** That is a key factor in what this real proposal is about. It is about trying to make sure we have the opportunity at farm level to ensure that we can actually plant trees. That is a really important thing. The Minister of State has pointed out her own reasons for this amendment but that opportunity being given to the farming community is something we should support. Do we really want to go through assessments for 0.1 ha? We spend more money on consultants and making sure we are doing the right thing, and nobody will do anything. That is the real issue. We will have no benefit from this. This gives the ability to every farmer in this country to plant trees to a minor degree, on a small proportion of land,, which is less than 1 ha. The area is from 0.1 ha to 1 ha. We are trying to promote this. When you talk to co-operative movements, mart movements or farming organisations, what do they say? They talk about trying to get more trees and more hedgerows planted.

Technically, if I were to plant 200 trees tomorrow morning along my ditch, I would be breaking the law. I would be wrong. I would be technically in breach of the law because I did not get an environmental impact assessment and because I would not have gone through all of the necessary work. For me to plant those 200 trees, it could cost me €3,000 or €4,000 in fees. Is that appropriate? Is that what we want the farming community to do? Is that where we need to go? We need to promote this so that the majority of farmers can come forward and plant trees on a proportion of their land to a minor degree. It is not a big ask, but it will change so much if we can get people involved. Section 9 is a real step forward. It is about setting an ambition for the Government of which we are all a part. More important, we will not get tied up in doing assessments for an area that is 0.1 ha. Realistically, will we put our farming community through that? They are already disillusioned in so many ways with the conversation in this House. If they heard this argument here this afternoon, I am sure they would be a lot more than disillusioned.

**Acting Chairperson (Senator Gerry Horkan):** I remind Members that 32 amendments have been tabled. This is Committee Stage, so it is not the time for Second Stage debate, not that I am not suggesting anyone did make any. However, we are dealing with amendments Nos. 1 and 2 at the moment. I will allow people speak to various sections along the way. Did Senator Gavan want to come in on amendments Nos. 1 and 2?

**Senator Paul Gavan:** I put on the record Sinn Féin's support for both amendments Nos. 1 and 2.

**Acting Chairperson (Senator Gerry Horkan):** Does Senator Daly wish to make a contribution?

**Senator Paul Daly:** I welcome the Bill. While the amendments may be well intentioned, I do not think it is fair to portray farmers as recklessly starting to plant trees on the areas mentioned within the amendments. There are other ways of policing this through, for instance, area aid payments or schemes that will probably be forthcoming based on the passing of this Bill. That will police this. A person will lose the payment if he or she plants on a sensitive area, a protected area or in an area that is not environmentally friendly for trees.

As Senator Lombard has quite rightly said, since the commencement of this Dáil and Seanad, we have been discussing forestry and the problems and issues with licensing. This is a way of alleviating some of the issues for smaller plantations, agroforestry and riparian forestry. Farmers, landowners, planners and those who work with farmers in almost every move they make in the current day and every decision they make on their farm are not and will not be reckless enough to breach anything mentioned in these amendments without putting us back to square one again and to the bureaucracy of licensing for small areas of plantation.

**Senator Pippa Hackett:** It is important to say this is enabling legislation. Not one tree will be planted under this legislation until the scheme is in place. That is important to know. Any trees planted outside of the scheme, if the area is more than 0.1 ha, will be subject to the regulations and the legislation under the current forestry Act.

To speak to Senator Higgins's points, which I understand and take on board because many of them are valid, I can assure her that, for the past year and a half since I have taken office, I have not been going out of my way to take shortcuts. I have engaged like no other Minister of State in this role with environmental and community groups, and I continue to engage with them because I am wholly aware of the difficulties forestry has come through and where we need to get to with it.

On the amendments, amendment No. 2 essentially proposes to introduce a series of reports and assessments that would detail those areas where planting would not be permitted, assessments of the protection of the environment, details of public consultation, and details of a system used to provide visibility in tracking of the areas to be planted for the purposes of public participation.

I would like to outline to the Senators how the design of any initiatives to utilise these measures will ensure compliance with all environmental law, such as the environmental impact assessment, EIA, the EU habitats directive and the EU water framework directive. In advance of the development of a scheme, the Department will be undertaking a strategic environmental assessment and appropriate assessment. The strategic environmental assessment, SEA, directive includes statutory requirements for the public to be able to participate in the process at specific stages to ensure there is transparency in the decision-making throughout the SEA process. The consultation process will engage with statutory authorities, outside bodies and the public. Following the completion of the SEA and subject to its findings, the Department will design a scheme and associated qualifying criteria. This may result in the introduction of additional measures, for example, with regard to the level of forest cover adjacent to domestic dwellings, including other environmental features.

I assure the Senators that a process to develop this scheme will be undertaken in a trans-

parent manner and all reports will be available online as part of the strategic environmental assessment and appropriate assessment processes. For these reasons, I am not accepting these amendments.

**Senator Alice-Mary Higgins:** With respect to the Minister of State, the fact is a scheme will come after the legislation, whereas we should be looking at that before we pass the legislation. We talk about enabling legislation, but to enable us to trust the legislation, we need to know exactly what we are signing off on.

While I do not doubt the Minister of State's personal interest in native forestry, the fact is the enabling legislation we create means we will enable any Minister of State in this area into the future. This is why it is significant in general when we are being asked to move issues out of primary legislation into potential future schemes or measures. Again, I note this particular amendment specifically introduces a time clause that suggests, for example, things would not be commencing until certain things have been done. The Minister of State might want to consider tabling her own amendment that would make it clear no parts of section 9 would commence until certain measures have been done and, as I will come to in some of my later amendments, certain schemes and measures have been done and, indeed, agreed by the House.

However, there is a wider issue and I am concerned. The Minister of State mentioned the SEA of the scheme, but we need to be clear, and again I made this point, that simply screening for a plan or a scheme and doing that strategic process does not substitute for the fact that screening is still needed, although it may be a different screening mechanism, and maybe a faster one. I wish we had poured resources into screening in the past year and a half because I believe we would be in a different place had we done so. However, we still need to screen projects and that has been really clear. There cannot be an exemption for screening projects. In fact, Ireland has already been found at issue in the European courts by attempting to apply a sized-based threshold in terms of saying we do not need to have a screening requirement or environmental impact assessment. That was case C-66/06 in 2008.

I am not trying to delay things. I am just trying to ensure they actually happen and this is done right. We again made these points on the heritage Bill, that if things are done right, you do not end up tied up at length in the processes. This is around moving through things and supporting them. The Minister of State has mentioned the idea of an SEA on the scheme, but we need to be clear, and I would like the Minister of State to illustrate she understands, that an SEA on the scheme will not be a substitute for screening for appropriate assessment and environmental impact assessment on projects. That is why we need to know what the mechanism will be for these things.

I am concerned the Minister of State is moving everything to the scheme. I would like to know if she is considering, for example, tabling amendments on Report Stage to address some of the four issues I have highlighted here, some of which could be addressed in the Bill and, for example, inserted as a condition, without which there would not be the commencement of section 9.

*6 o'clock*

Would we not have a system guaranteed in terms of providing visibility and tracking? Is that not something we want to make sure is in place before section 9 might be commenced in terms of compliance with the Aarhus Convention and the environmental information direc-

tives? These are in fact sensible measures and if we are not using them, as in the forestry licensing scheme as matters stand, which I think is a mistake, but any parallel scheme we might create needs to have these same building blocks in there. We cannot sign off legislation that we do not know is compatible with EU law. Simply saying we will deal with it later does not deal with it, because if we remove the instruments we have in terms of the forestry licensing mechanism as the tool by which Ireland delivers its obligation under EU law, without having the other things or another system in place and already known, or attached to this Bill or put in primary legislation, then we are creating a lacuna. The Minister of State may have the good intent of filling but it is a lacuna nonetheless and another Minister may, for example, decide to have a very different kind of scheme that he or she may put in place.

**Acting Chairperson (Senator Gerry Horkan):** We will bring the Minister back in but first I would like to welcome one of our colleagues in the Visitors Gallery who is accompanied by a transition year student. It is nice to see visitors back in the Gallery. Rachel Trimble from Roscommon is here with our esteemed colleague, Senator Murphy, who are both very welcome to the Visitors Gallery. I hope they enjoy their day and their evening here with us in the Houses of the Oireachtas. I now call the Minister of State, Senator Hackett.

**Senator Pippa Hackett:** In terms of tracking, currently all areas are mapped and visible as forestry parcels are planted and that will continue under any such scheme we introduce. As the Senator is aware EU law trumps domestic law and we have engaged with the legal advice not only in my Department but in the Office of the Attorney General, who feels that it is acceptable to conduct the scheme, and make the scheme subject to SEAs and AAs.

The points the Senator has raised are valid and will be included in the scheme. To include a list of the suggestions in the primary legislation is not appropriate. We could be returning to it over and back for years to come, adding in other things and taking out others so the best place for them is in the regulations associated with any scheme. As I said at the start, not one tree will be planted under this legislation until the scheme is in place because any trees that are planted without the presence of the scheme will be subject to the current forestry laws and legislation.

**Senator Alice-Mary Higgins:** I would point out that the issue is precisely the fact that things might get taken out. I do not think we want to see anything taken out through a scheme, we want to see the measures that are necessary and that are basic in the law. It is precisely because of that idea of the Minister of State going back and forth taking things out. One can add extra provisions or protections through statutory instruments and others but in terms of the idea of removing any of the protections that we currently have, I would want that to be something that would come back before the Oireachtas and not something that might happen at a future Minister's discretion. That is exactly an example of why we need to do this.

I will again point out that Ireland has a poor track record, unfortunately. The Government, and the former Government, have a poor track record in terms of our interpretation of EU environmental law. That is why we have lost cases and been pulled up again and again. In trying to ensure that we get it right I am trying to save us from having a case where again we are found at fault in four years' time. We do not want and I do not want to put it on people that things have to go through courts and appeals processes. If we get things right at the beginning we save ourselves in that regard.

**Acting Chairperson (Senator Gerry Horkan):** For the benefit of Members and perhaps of people watching, this Bill has four main components, three of which are the statutory provision

on fur and skin farming and related procedure on related penalties, procedures for the payment of compensation, procedures for the disposal of fur-producing animals and finally a scheme for the planting of native tree species on a small scale without requiring a full forestry licence. They are all very important parts and we have 32 minutes to hopefully dispose of and deal with in one way or another over the course of the debate. Of course we can adjourn. What would the Senator like to do with amendment No. 1?

**Senator Alice-Mary Higgins:** Just before I do that I will point out to the Minister of State that I could have added in a number of factors to amendments Nos. 1 and 2. I did not put in everything. There are many things I could have put in. I really have put into this amendment the minimum that should be required and I will reserve the right, on Report Stage, to put in the other factors that I think we should be addressing before the Bill commences. What I tried to do was to have this slimmed down to the four basics that we need to get right. In that regard, and this is my final intersection on this amendment, I would like to indicate and ask the Minister of State if it is her intention to bring her own amendments in regard to any of those four building blocks that I have highlighted to ensure that they are represented in the primary legislation? I am trying to be reasonable in this regard.

**Acting Chairperson (Senator Gerry Horkan):** I thank Senator Higgins. I hear that.

**Senator Pippa Hackett:** No, we are still satisfied regarding the suggestions in this amendment and in a later amendment of Senator Higgins in which there is a rather exhaustive, and absolutely justifiable, list, but they all belong in the regulations and not in the primary legislation.

Amendment put:

The Committee divided: Tá, 4; Níl, 31.	
Tá	Níl
Gavan, Paul.	Ahearn, Garret.
Higgins, Alice-Mary.	Ardagh, Catherine.
Hoey, Annie.	Blaney, Niall.
Wall, Mark.	Burke, Paddy.
	Buttimer, Jerry.
	Byrne, Malcolm.
	Carrigy, Micheál.
	Casey, Pat.
	Cassells, Shane.
	Conway, Martin.
	Crowe, Ollie.
	Cummins, John.
	Currie, Emer.
	Daly, Paul.
	Doherty, Regina.
	Dolan, Aisling.
	Dooley, Timmy.
	Fitzpatrick, Mary.
	Gallagher, Robbie.

	Hackett, Pippa.
	Horkan, Gerry.
	Kyne, Seán.
	Lombard, Tim.
	McGahon, John.
	McGreehan, Erin.
	O'Loughlin, Fiona.
	O'Reilly, Joe.
	O'Reilly, Pauline.
	O'Sullivan, Ned.
	Seery Kearney, Mary.
	Ward, Barry.

Tellers: Tá, Senators Alice-Mary Higgins and Paul Gavan; Níl, Senators Seán Kyne and Robbie Gallagher.

Amendment declared lost.

**Senator Alice-Mary Higgins:** I move amendment No. 2:

In page 5, between lines 27 and 28, to insert the following:

“(3) *Section 9* shall not be commenced until the Minister has laid before both Houses of the Oireachtas:

(a) a report on areas where there are sensitivities where unlicensed planting would not be permitted, including on—

(i) area sensitive for biodiversity,

(ii) areas sensitive for landscape reasons,

(iii) areas sensitive for archaeological reasons, and

(iv) areas sensitive for such other additional reasons which the Minister considers would make such unlicensed planting inappropriate,

(b) the completion of assessments required under both Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, and Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora,

(c) a report on the conduct of a public consultation on the draft regulations made under section 22A, inserted by *section 9*,

(d) a report on the system established to provide visibility and tracking of the exempted areas to be planted and to ensure compliance with the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, the Aarhus Convention in respect of information provision, public participation and access to justice obligations and rights.”.



Amendment put:

The Committee divided: Tá, 5; Níl, 30.	
Tá	Níl
Gavan, Paul.	Ahearn, Garret.
Higgins, Alice-Mary.	Ardagh, Catherine.
Hoey, Annie.	Burke, Paddy.
Keogan, Sharon.	Buttimer, Jerry.
Wall, Mark.	Byrne, Malcolm.
	Carrigy, Micheál.
	Casey, Pat.
	Conway, Martin.
	Crowe, Ollie.
	Cummins, John.
	Currie, Emer.
	Daly, Paul.
	Doherty, Regina.
	Dolan, Aisling.
	Dooley, Timmy.
	Fitzpatrick, Mary.
	Gallagher, Robbie.
	Garvey, Róisín.
	Hackett, Pippa.
	Horkan, Gerry.
	Kyne, Seán.
	Lombard, Tim.
	McGahon, John.
	McGreehan, Erin.
	O'Loughlin, Fiona.
	O'Reilly, Joe.
	O'Reilly, Pauline.
	O'Sullivan, Ned.
	Seery Kearney, Mary.
	Ward, Barry.

Tellers: Tá, Senators Alice-Mary Higgins and Paul Gavan; Níl, Senators Seán Kyne and Robbie Gallagher.

Amendment declared lost.

Section 1 agreed to.

Sections 2 and 3 agreed to.

16 February 2022

SECTION 4

**Acting Chairperson (Senator Pauline O'Reilly):** Amendment No. 3 has been ruled out of order.

Amendment No. 3 not moved.

Question proposed: "That section 4 stand part of the Bill."

**Senator Paul Gavan:** I welcome the Minister of State to the House. I will make a couple of brief points related to the section and the amendments that were ruled out of order. We are disappointed, especially given that miscellaneous provisions were added to the Bill. We are a little puzzled why amendment No. 3 was ruled out of order. My colleague, Senator Boylan-----

**Acting Chairperson (Senator Pauline O'Reilly):** The Senator can speak to the section but not to the amendments that were ruled out of order.

**Senator Paul Gavan:** That is fine. On the section, we are disappointed that the opportunity was not taken to address lacunae in the laws relating to the issue of dogs and safety, in addition to the ability of the Dublin Society for the Prevention of Cruelty to Animals to home dogs, which is something we always support.

This Bill was initially to deal with fur farming. We believed section 4 was the ideal place to address the issue of compensation for workers in the industry. It seems particularly disappointing a limitation is now being put on that. That should not be the case. When it comes to debates such as this, why are workers so often forgotten about? We had the opportunity to do more in this Bill. The fact the Government has chosen not to is a significant missed opportunity for those workers who are losing their jobs and will get nothing but statutory redundancy. I urge the Minister of State to consider the points we are making and to revisit this topic on Report Stage.

**Senator Regina Doherty:** I find myself in the very unusual position of agreeing with Senator Gavan, even though we both know our ideologies are very different. I am a former Minister for Employment Affairs and Social Protection. This is a Government Bill and I very much support and welcome it, but I find myself recently being at odds with the Government over what is absent from the Bill. What we are attempting to offer people whose jobs we are taking away is an absolute disgrace. I totally understand, agree and concur that nobody should be fur farming any more, but those businesses need to be compensated. There is an arrangement in the legislation to do so but I believe, and we all know, that the timeframe of the past five years that will be stipulated in the regulations is a period where those businesses have not done particularly well. That will reduce the compensation to those people and restrict their ability to reinvent themselves.

What absolutely jars, however, is the fact that the State, which is doing these people out of their jobs, is offering them a miserable two weeks' redundancy per week for the years they have served the State in a business we have decided we longer require. To be also fair, and I will speak to amendment No. 6 in section 7, it is fundamental that we invoke a special fund within the SOLAS organisations to make sure we retrain and reskill those people.

**Acting Chairperson (Senator Pauline O'Reilly):** Amendment No. 6 has been ruled out of order. I ask the Senator to speak to the section.

**Senator Regina Doherty:** The section in itself is entirely based on recompensing the people whose businesses we are closing, but I am far more worried about the 35 or 36 people who are losing their jobs because the State is intervening. We have a responsibility to make sure those people are compensated for the jobs we are closing down. We also have an absolute obligation to make sure we reskill and retrain them, and put them back into a workplace market that is crying out for new skills.

I am genuinely asking the Minister of State to reconsider. I not only contacted my Whip today but my party leader, who happens to be the current Minister for Enterprise, Trade and Employment, Deputy Varadkar, to ask him to beg the Minister of State to reconsider having these amendments withdrawn, especially amendment No. 6 to section 7, in addition to reflecting and recommitting to return to the House on Report Stage to ensure we give the 34 workers who are losing their jobs better than statutory redundancy and that we give them a fund to retrain, reskill and point them towards new jobs in the industry.

**Senator Paul Gavan:** Well said.

**Senator Tim Lombard:** Like the Leader, I am very much in agreement with our colleagues on the left.

**Senator Paul Gavan:** Come on board.

**Senator Tim Lombard:** It is a rare occasion in many ways. We discussed this issue during pre-legislative scrutiny at the Oireachtas Joint Committee on Agriculture, Food and the Marine. One of the recommendations was that this should be looked at. The committee met representatives from farms, industry and the Department. We thought officials from the Department had listened to us. This was one of the issues raised in the committee's published pre-legislative scrutiny report. It is a very significant issue. More than 30 people will lose their jobs because of a Government decision to change its approach. That is life, that is society and that is what happens, but we have to protect those people. We have to protect their livelihoods. We have to step in to make sure we have a just society with a just fund. We often hear about just transition. Where is the just transition for these workers? Two weeks statutory redundancy is not a just transition. That is a real issue.

This is very unusual legislation. I will possibly be corrected by the House, but I do not think we have ever before legislated to abolish an industry in the agriculture sector. This is exactly what we are doing. We are abolishing an industry in the agriculture sector, which is very unusual. As a result, we should step in to make sure those people who have been working in that industry for decades are protected. I do not think we have done that. In fact, we have not. That is very unfortunate for us.

We know the goals of the legislation, but we have to make sure we protect people along that road. There are families looking at this debate who want to know what the Government will do when it comes to the just transition they will go through. These families are not in the most populated parts of the world. I do not speak ill of Kerry, Laois or Donegal, but these are rural locations where jobs do not come in a multiple scenario as they do in urban areas.

We have to protect these people. I do not believe this Bill does anything to protect them. It does not mention them in any appropriate way. We need to rethink how we will protect these people because they deserve that the State protects them along the way. The families who own the farms also need that support. I put it to the Minister of State that she should consider a suit-

able amendment. The terminology of just transition is something we spoke about in another sphere, but we have forgotten it when it comes to these people.

**Senator Paul Gavan:** Well said.

**Senator Victor Boyhan:** I welcome the Minister of State. I will speak to the section and about my serious concerns regarding this industry. It is very important. I am a member of the Oireachtas Joint Committee on Agriculture, Food and the Marine. We invited representatives of the three fur farms to come before the committee. They laid their stall out and made a very good argument. I was personally a little hard on them, which some of them confirmed today. One thing I was not too hard about was the issue of animal welfare. I welcome the end of mink farming for a whole range of reasons. I also accept it is Government policy. The coalition parties signed off on the scrapping of this industry as part of the programme for Government. The manner in which it was to be scrapped was not signed off by members of the Government, to be fair to them. The Leader is right. I acknowledge she has significant experience of the issue of industrial relations and so on.

To move on slightly, I went to Buswells Hotel this afternoon to meet the people who own these farms. People were crying, devastated and broken. One of them is in the Minister of State's constituency in Stradbally. At the end of the day, what these people are doing is legal. It is a legitimate, legal business. It is an enterprise. The Minister of State and I might not like it, but it is a legitimate, law-abiding business that is fully compliant with legislation. I thank the Fianna Fáil councillor, Norma Moriarty, who has been actively and regularly in touch with my office in the past week or two. She lives in Waterville and represents the people there. She is clearly a strong advocate of one of these farms. I acknowledge that.

I am somewhat surprised that while some members of the Government have made their views known, there are no Government amendments. That is a pity. The Government has a right to put down amendments, argue and make the case for them. We all accept that the battle around mink farms is over. The proprietors of these enterprises recognise it is over. The Minister of State recognises it is over. All of us in these Houses recognise it is over and the right thing to do is to ban fur farming. What is wrong is how we are treating these people. I was told by the people concerned there are 4,800 mink in one facility, 4,000 in another and 2,500 in a third. There are approximately 50 workers in these facilities. We need to upskill those workers and identify the issues. This section relates to the worker issue. I want workers to go on, retrain and reskill. I hope and would like to think that the entrepreneurs who own these farms will use their compensation as seed capital to develop other industries in rural communities because that is important. That is their choice. We live in a democracy. Those people have invested heavily. There are issues around the demolition of these places, which must be built into any compensation package. There are planning issues and constraints involved. There are also environmental considerations. Many of these buildings may have asbestos in them. There are implications in that regard which we must take into consideration. If they were to be demolished as agricultural animal husbandry buildings, they may not get permission in these particular locations and sites so that must be built into the compensation package. I think that is reasonable and fair.

When I met the people concerned, along with many of my colleagues from the House, I found them devastated, as anyone would be. If I was a poultry operator in the midlands and the Government decided for some reason to close my business, I would expect compensation, as would anyone else. The important thing is that these are legal and viable businesses. The Government is going to issue a decree to close them down. If that is Government policy, it is

Government policy. I also believe they should be closed down but I do not believe in the way the people concerned are being treated. There has been a suggestion that it is all going to be done via some regulations. This is the Oireachtas. We are dealing with primary legislation at this particular point and I am not comfortable with divesting the Seanad of a certain amount of control and power that will determine the compensation package these people get.

I am concerned. We must support and stand in solidarity not only with the owners of these facilities but also with the workers. Four or five weeks is simply not enough. They need opportunities. Many of them have been in this business for a long time. Many of them work part time and do not have full-time work. There are a whole range of issues we must look at.

We are at somewhat of a disadvantage here today, as are the proprietors of these businesses, because we have no sight of a Grant Thornton report. We believe in openness and transparency in a democracy and I call on the Minister of State, even at this late stage, to publish the Grant Thornton report, which I am reliably told cost over €100,000 of taxpayers' money to commission. We need to see the recommendations of that report. We need to share that report and the rationale with the people involved. The real problem here is the communication of this Government message - how it is being communicated or not communicated. We must set out the logic and rationale and support the people.

The Green Party made this a real issue in terms of policy, and rightly so. This was a particular element of its programme for Government. No one gets everything they want in government. It is all about compromise and I respect and acknowledge that. The Green Party drove this agenda on this occasion. I ask the Minister of State to stand in solidarity with these workers. As I said, I spoke to workers from the Minister of State's constituency today. There is no bias. They are just devastated because of what is going to happen to their income, the people they trained up and their stock. Their valuable stock cannot be sold outside the State. Under this legislation, that stock must be destroyed humanely, and rightly and properly so. They cannot get any value from these well-bred and well-stocked animals that are very successful. Those who know a little about mink farming understand there is constant rotation of mink so those proprietors have very healthy stock. They have been responsible owners who have complied with the law. I ask the Minister of State to publish the Grant Thornton report and make it available to us, as legislators. We are entitled to see it. The State has paid for that report. It is not the property of any one individual in the Department. There should be an executive summary, if not the whole report, given to the owners. Let us stand in solidarity with fewer than 50 workers. Let us give them a decent package and recognise that the State is closing down this viable business for them.

**Senator Annie Hoey:** I will not go on too long because I agree with what has already been said. It is nice that we are all on the same side. Government Senators are welcome on this side of the House any time if they want to join us and agree about things.

This is the second time today I have risen to talk about workers' rights. My thoughts on the industry are no secret. It is a nasty and disgusting industry, and good riddance to it, quite frankly. I will say the two weeks' statutory redundancy is a pittance. We on this side of the House have often railed against two weeks' statutory redundancy in other sectors so we must do the same in this case. It is a real pity that this section has been watered down from what it could have been, particularly with regard to the workers. What the State is offering them as compensation, if you will, for losing their jobs is not enough.

This Bill is about fur farming but there was initially a bit of stuff about forestry tacked onto it. It seems a little wild that an amendment about animal welfare was subsequently ruled out of order in a Bill that includes “animal health and welfare” in its title. It is a pity that amendment was ruled out of order, given it seems it should fit in with the Bill.

**Senator Paul Daly:** I lend my voice to the assertion that this is a unique and unprecedented situation. The State is closing down and making illegal an area of farming. We only have three farms in the country, all of which are rurally based. I met the people involved. One individual said that if his employees are not compensated properly and sufficiently and do not stay in that area, it will mean the loss of the teacher in the local school. That is how much of an impact this is going to have on rural areas.

I sat across the table from three people who have invested their lives and enormous amounts of money into these businesses. They accept their businesses are going to be made illegal. They accept that. I do not know if I would, if I were in their shoes. They told us they have invested millions since 2012, in particular, with guidance, instructions, blessings and encouragement from the Department to keep everything in tip-top shape from an animal welfare point of view. They now accept this decision that will put them out of business. We must treat them fairly and compensate them in full. There should be no cloak and dagger or secrecy involved.

I agree entirely that if the Department can afford to pay €100,000 to Grant Thornton for a report on where this should go, it should at least share it with the three people involved. They need to see that report. Why can the report not be shared with the three people whose lives are being changed by these Government demands? They are aware the Government has that report and it must be shared with them. I plead with the Minister of State to share that report. As the Leader has said, I plead with the Minister of State to come back on Report Stage with amendments to make sure the employees of those three farms and the farmers themselves are treated fairly. Those farmers will have to start new businesses and will not do that without seed capital. They have invested a lot of money in bringing their farms up to scratch. It is unbelievable. There were tears at that meeting today. It was emotional from my side of the table. The people involved are accepting their plight but they must be treated fairly. As I said on Second Stage, there are three farmers and three businesses involved. The Government can sit the three of them around the table. It is not as if we are dealing with a stakeholder forum or representative body. I plead with the Minister of State. We must treat these people fairly and properly.

**Senator Alice-Mary Higgins:** I will be brief because I want to speak to some of the same issues, but I will speak them under section 7 because that is where a lot of the detail about the transition is. We have to do more to make it just.

I refer to this section because it is around the animal welfare component. I would note that this the Animal Health and Welfare and Forestry (Miscellaneous Provisions) Bill. A Bill on animal welfare does not come through very often in the Oireachtas. The Minister of State knows how it is to get things on the legislative schedule. Therefore, I would urge her to consider the points on animal welfare that Senators Boylan, Gavan and others have put forward and to consider bringing forward her own amendment in respect of this. If it is a miscellaneous Act and relates to animal welfare, then it is an opportunity to address this kind of outlying issue in terms of commercial public farming and so forth. It is just a chance to address that. I ask the Minister of State to consider if she can do that because it is a chance. I will speak to the other issue when it comes to section 7.

**Senator Paddy Burke:** I welcome the opportunity to say a few words on this section. I also welcome the Minister of State to the House. I would like to say that whatever the Minister of State does here, she will be setting a precedent for whatever may come in the future. Therefore, she has to tread very carefully. She should listen very carefully to the very serious questions and issues that have been raised by many Senators.

There are two aspects to this: first, the redundancy level that is being paid to the people who are employed and what their futures will be; and second, what the farm owners will do and the compensation that will be paid to them. It is only right that those workers who are there and have made those businesses successful would be properly treated and looked after. I agree with other speakers that the two-week statutory redundancy should be increased substantially for those people. I have had many businesses over many years and the hardest thing of all is to close a business. Everybody comes at you – creditors, bankers, tax people, redundancy, you name it. Then you have to consider your future – what will you do afterwards?

I take it that there are only three farmers involved in this. They have to pay the statutory redundancy. I will only deal with the statutory redundancy here. We have a former Minister here in the House with us. If they cannot afford to pay the statutory redundancy, it will be taken out of their assets. If their assets do not cover the statutory redundancy, a charge will be put on their home. That is the reality of people having to pay statutory redundancy and not being able to afford to pay it. This is completely wrong. I am bringing forward a Private Members' Bill to safeguard the family home. It should be taken out of the equation completely. In this case, the Department should pay all of the redundancy. The Department is causing this to be closed down. As Senator Boyhan has said, whether we like it or do not like it or whether we are for it or against it, that is not the question. The Department has taken action. It is closing down a business in this case.

A business can last for five or ten years or even 100 years. In some cases, one can have quite a number of staff for quite a long period of time. Someday there could be a crash, there could be a pandemic such as we have had or, as in this case, the Department could come in with a heavy hand, close the business down and require the owner to pay the statutory redundancy. In relation to statutory redundancy, how does somebody who sets up a business put away two weeks per employee every year for that day? It is impossible to do. If one does put two weeks away, one is taxed on it. One has to pay the taxes as well as put aside the two weeks. Therefore, it is not a simple science. I think the Minister of State should listen to the very many legitimate questions that have been raised here and come back in her own time on Report Stage. There is no doubt the House will support her, but all reasonable steps have to be taken for all sides in this case.

**Senator Pippa Hackett:** Briefly, there have been a number of issues covered in relation to section 4. I want to thank the Senators for proposing this. I know we are not talking to the amendments, but I am generally supportive of the policy objectives of the Senators here. The policy point is important. My Department is already working on a proposal that is very much in keeping with the amendment which the Senators have proposed but is not before us. I expect it to reach the Oireachtas in the coming months. I hope that the Senators can accept this commitment on that point.

On the subsequent section 7-----

**Acting Chairperson (Senator Pauline O'Reilly):** We are not on section 7 at the moment.

**Senator Pippa Hackett:** Do I have to wait until we get there, even though people spoke to this section?

**Acting Chairperson (Senator Pauline O'Reilly):** They did not speak to section 7.

**Senator Pippa Hackett:** I thought they spoke on the environmental impact assessment, EIA.

**Acting Chairperson (Senator Pauline O'Reilly):** They should not have.

**Senator Pippa Hackett:** Will I stop there?

**Acting Chairperson (Senator Pauline O'Reilly):** It is up to the Minister of State. I just wanted to let her know.

**Senator Pippa Hackett:** That is fine. Will I wait until we get to the section in question? I already spoke about the question of redundancies.

**Acting Chairperson (Senator Pauline O'Reilly):** It is up to the Minister of State if she would like to respond, but just not to section 7.

**Senator Pippa Hackett:** I will briefly respond on any EIAs required where demolition is carried out. Certainly, if an EIA is required, that is provided for in the legislation in terms of the compensation. My understanding is that will be covered.

On the calculation of the compensation, calculation of the recent profits of a business is normally used as a means of placing a value on such a company. Ordinarily, the average of only three years of recent profitability is taken into consideration, but we decided that, in this case, five years should be considered. The farm businesses have argued that it should be extended to ten years. However, the ten-year proposal is significantly out of line with the independent advice available to my Department, which advises a period of five years. The Grant Thornton report will be made available shortly. I do not have any more detail than that. Certainly, the farmers' proposal is based on a profitability cycle. The farm businesses say that a ten-year cycle exists in the fur farming business. However, my Department has not been presented with evidence of this ten-year cycle. I am not convinced that anyone purchasing or valuing a business, including a fur farming business, would be prepared to factor in a largely historical profitability statistic.

It is important to note that the compensation payable to farmers is not solely dependent on the earnings calculation. Where the profitability calculation shows a low level of profitability, or even a loss-making situation, there is to be a fallback position on which to value the business. That is the net book value of the company's trading assets, and this makes up the compensation payable in the circumstances. I am not in agreeing with the profitability calculation based on a ten-year average. It is important to highlight that nobody is disputing the current legitimacy and legality of the business. There is an acceptance among the fur farmers that their businesses are being made redundant.

On workers, I take on board the concerns regarding the two-week statutory redundancy. The Department is still considering that point. I am advised by the Department of Social Protection that it has committed to putting together a plan or programme for the affected employees in advance of the prohibition. The plan for each individual will deal with unemployment, jobseeker's benefits, education and training options and opportunities for such. It will also



explore what jobs might be available in their areas. A case officer will be assigned locally to be a focal point for the employees in their respective regions. Regarding training and upskilling needs, Department of Social Protection officials interface with education providers, including local education and training boards and Teagasc. Some such services and supports are already available.

I thank Senators for their comments.

**Senator Ollie Crowe:** I am waiting to speak on a particular section, but there was an overlap, so it is fine. I would like to make a few brief points. Like other Senators, I have been contacted by the owners and I met with them for over an hour. As the Senators alluded to, it was fairly distressing and emotional.

I would like to add a bit of fairness and a bit of context.

*7 o'clock*

Regardless of what views people on these farms may hold, it would seem, given the step being taken, that it is essential the farmers involved are treated fairly and respectfully by the Department. I am disappointed, having been contacted by some, that this has not been the experience so far.

As has been outlined at the Oireachtas Joint Committee on Agriculture, Food and the Marine of 15 July 2021, a number of issues have been addressed. We have discussed them here. As the Minister of State alluded to regarding staff redundancy, it seems beyond belief that this could be happening. The statutory two weeks is unacceptable. There are 40 staff. To put it into context, from speaking to people and public representatives in the Kingdom today, for example, if the local primary school had not had one extra it would have lost a primary school teacher. If the people in that local electoral area will not be living in that area, it is important to point out the consequences of the loss of employment. We can all speak of reskilling, staff redundancy and the need to upskill, but surely it is vital and a priority in this House that we treat all citizens in this country equally. Certainly, that is not the case here. Across the midlands, the Minister of State will be familiar with this in respect of just transition. We are treating it on one level and seem to be treating people on another. That is not acceptable.

Where are we on the demolition costs of farms and their viability going forward? It is galling that the Minister of State speaks to family and family members today. As Senator Paul Daly alluded to, she paid €100,000 in public funds, whatever the accounts of the company are, to do the report. I am thankful that they will receive it shortly but, as was pointed out, it is more than nine months since 15 July 2021. Could the Minister of State put a timeframe on “shortly”?

From what I see, there must be dialogue. There must be consultation between the three farmers and their representatives and the Department but that is not happening. In fairness, there has been personal investment of millions of euro and they are being treated shabbily.

In the interests of fairness from my knowledge of it and from trying to learn about it in the past 48 hours, as I was not familiar with it, we need to realise a couple of things. The five-year calculation, even though the Minister of State referenced it, needs to be upped to ten years because that gives a more realistic figure. Rather than the past five years, ten years gives a better average. It is more reflective of what it should be.

Senator Doherty and other Senators raised the statutory redundancy. That is totally unacceptable. I refer to the education, the training and the upskilling. What is vital, from speaking to the three families today, is that going forward there will be significant issues relating to asbestos, demolition and the cost of demolition. What I am concerned about and what most Members in this House will be concerned about is the 40 jobs and the impact that will have on the community. It must be raised and it must be rectified.

**Senator Regina Doherty:** I ask the Minister of State to confirm, because I am not sure if I heard her correctly, that she intends to come back with an amendment relating to the statutory redundancy but that she does not intend to bring it to the Seanad. She intends to bring it to the Dáil in a couple of months. Is that what she said?

**Senator Pippa Hackett:** No, I did not say that. I said that the Department is still considering the statutory redundancy piece.

The other issue I was bringing back to the Oireachtas relates to section 4. It was the amendment proposed by the Sinn Féin Senators regarding the dogs. The Department is working on a proposal very much in keeping with the proposed amendment and that will come before the Oireachtas.

**Senator Regina Doherty:** I am glad I clarified that. Can I confirm that the Department is considering tabling its own amendment with regard to statutory redundancy and the Minister of State will bring it back, either on Committee Stage the next time we resume or on Report Stage before the completion of this legislation in the Seanad?

**Senator Pippa Hackett:** I cannot confirm the specifics of that but the Department is still considering the redundancy issue.

**Senator Tim Lombard:** I acknowledge the statement of the Minister of State.

With regard to the workers' rights, I mentioned the work that has been done locally. The lack of a task force for these three areas has been discussed. Just transition is an important term. We need to make sure we act on it on the ground. These are three rural areas where 50 jobs will be affected. Having options from the community welfare officer will not secure appropriate jobs in that location. How that will be addressed will take a real body of work. A task force will be required in all three locations to make sure the families that have been affected by a Government decision have the right to live in these communities and not move on to where there is a suitable job location, which probably would be in an urban area and have an impact on housing issues all the way through.

The Minister of State mentioned five years regarding the ten years taken into consideration for compensation. In many ways, it is an unusual statement. In considering the five-year timeline, people will say that we should have looked at ten years. That was the cycle. Property prices are being taken on the basis of a seven-year dip in the market. Could the Minister of State confirm that the five years she picked were the five lowest years between 2016 and 2020 and exclude 2020 and 2021 which, potentially, are the two year with the highest prices? If we were to pick the five years, we need to have an appropriate five years picked that would incorporate 2021 and 2020. Realistically, a balanced approach should be taken.

The fear that the families that I have been talking to today have is that when this legislation is passed, the Department will play hardball and the big Department will sit on three small fam-

ily farms and decide their fate. That is a question of trust. With the report not published, that trust is a significant issue. If the report was published before we sit again, it would give some confidence to these family farms that will be no more in a few months.

The ability then to have a mediator between the Department and these families and to have an appropriate arrangement put in place is something that we might have to talk about. If big Government is to dictate to the three farms, they have no hope because big Government will always win. How can we balance that in favour of those concerned? Is it time to propose some kind of mediation process between the Department and these farmers so that there can be an appropriate outcome that would benefit everyone?

National policy has changed. I mentioned earlier that this is unusual legislation. We are banning a farming activity. This is probably a template for something that could happen down the line. It is about building trust in the communities and in the organisations to make sure that everyone can benefit from a Government policy that we are all in favour of, including making sure that those families can survive.

**Senator Victor Boyhan:** I thank the Minister of State for indicating that she would be agreeable to publish the Grant Thornton report. It would be helpful in our role as legislators. Ultimately, we want the best outcome for this legislation for everybody. It is contained in the programme for Government, so we are halfway there and now it is a question of the compensation package and supporting these rural communities in Donegal, Laois and Kerry. There is rightly a heavy emphasis on sustainable rural communities. While they are small businesses, they were bigger businesses and have already had to scale back because they knew this was coming down the track. I hope the Minister of State will be able to make the Grant Thornton report available to us before the next stage of our deliberations on the legislation. I ask her to confirm to the House if she can make that happen.

If the Minister of State wants to pick five years, my understanding is that the best years for these people was between 2011 and 2016. Surely she should look at the best years. In the past two years, especially with the Covid pandemic, we have had many setbacks in all businesses, including coffee shops, pubs and agricultural machinery contracting businesses. These are particularly interesting years. If it is to be five years, let us have some flexibility and let us go for the maximum and the best. I do not want to keep repeating myself. They are business owners, entrepreneurs and risk-takers. We support people who take risks and people who are building community businesses and enterprises. I think ending mink farming was the right decision and I think the people involved also understand that.

I am a member of the Oireachtas Joint Committee on Agriculture, Food and Marine, as are many of my colleagues present. We have not seen the Grant Thornton report. If anything, we were somewhat remiss in not demanding it, but I am doing so today. After my engagement with these people today, I recognise the importance of seeing the Grant Thornton report. I thank the Minister of State for indicating that she will make it available. It would be helpful for everyone to understand when it will be made available. It would be fair and would be in line with transparency in the way we do our business.

**Senator Paul Daly:** We are debating over and back. We will not complete Committee Stage tonight and it will need to be resumed on another date. We will then have Report Stage. The three people we are discussing do not even have a date. Can we give them an indication? Once this legislation passes, the current practice of fur farming will become illegal. Once the

legislation passes, they will be performing an illegal act and only when the legislation passes will the negotiations for compensation for the employers and the people in question commence. What leverage will they have then? While I do not want to sound off my rocker, if we heard of something like this happening in another country, Senators would be queueing up to discuss it on the Order of Business.

We need to look at how we are presenting this legislation. We need to build in a mechanism for those people to ease out of their business when they know what the compensation is. I would not like to be negotiating for compensation for myself or my staff while performing an illegal act. I would not have a leg to stand on; I would have no leverage. It would not be accepted in other countries and certainly we would not accept it happening in other countries. That is a vital part of our deliberations.

We need to give these people some certainty as to when this will happen. They are looking at this debate wondering if it will go through Committee Stage now or will it be back in again next week. They want to know when they will be out of business. How can they plan and how can they perform the legal act that they are performing at the moment correctly through correct husbandry etc. if they do not know if the hammer will come down next week, in three weeks or in a month? When the hammer comes down, they still have no idea of what the compensation will be. That vital matter also needs to be addressed either on the next day we take Committee Stage or on Report Stage. We cannot just make their activities illegal and then start the negotiations.

**Senator Paul Gavan:** I am sure the Minister of State is struck at the unanimity across the Chamber on the issue of compensation. I am not filled with confidence when she says that the Department is still looking at the issue of compensation because that does not tell us very much. I have a direct question for her. Does she think two weeks per year of service is adequate redundancy for these workers? I am pretty clear that no one else does. It would be good to get a response on that. If she acknowledges that it is not adequate, as everybody else across the Chamber has, what steps will she undertake to address that situation?

When I was a trade union official, unfortunately part of my job was to negotiate redundancy packages. It was very common to negotiate packages of six weeks per year of service. The best deal we got was about nine weeks per year of service. My point is this is not an abnormal issue. People negotiate redundancy, recognising the service of the workers and respecting them. If the State will not respect these workers and the place in which they find themselves, it is a shocking indictment of us all. I ask the Minister of State to answer the question directly. Does she accept that the statutory redundancy of two weeks per year of service is not adequate compensation for these workers?

I ask her to outline what is possible on Report Stage. A number of things are possible. Having a better redundancy package is possible; it is a question of political choice. We should provide a proper fund for upskilling. I understand the response the Minister of State read out. I know from previous experience of significant closures that sometimes a fund needs to be provided. I expect these workers will have a hell of a job finding different work because they have been working in such a specialised field. These are reasonable requests. I cannot believe that the Minister of State would be out of step with everybody else here. In fact, I am pretty sure she, personally, is not out of step. She also has the responsibility and the power to change it. I would really appreciate if she could address those issues because it is right thing to do.

**Senator Alice-Mary Higgins:** I had held back, but I want to offer something in the crucial debate we are having. We will end up debating these points again when we discuss section 7. The question about just transition is important. Senator Lombard put it well when he talked about the idea of the template. I believe there are two layers to just transition. One is that it is a transition towards justice, towards something better. Ending fur farming is a good thing. Just as the big changes we will need to make in the area of climate are to something that is better, we also need to do it in a way that is just and fair. I want to highlight those two parts to it.

There are many things we will need to stop doing and need to do differently. It will not be business as usual in many areas for many reasons - for climate reasons but also because of how the world is radically changing in many ways. Because we cannot do things in the same way and because business as usual may be dangerous, we need to have just transition, which needs to be fair and fast. When we talk about just transition, the idea seems to be to delay moving on it for ages, when in fact we need to move on things and change them fast. We need to put good systems in place which deliver fairness which, as Senator Lombard said, can be used as a template for other sectors and other industries. This is a chance to look to those principles and get it right.

There is much discussion about the mechanisms of compensation for the businesses. In implementing just transition anywhere, we need to give as much focus to the workers as we do to business owners. The lacuna is that there has not been the same focus on the workers. I was glad the Minister of State mentioned certain case workers and other schemes and it would be useful for all of us in the House to have information about that between this debate ending today and resuming again. I remember discussing that issue with Senator Doherty when she was in her former role and we said we could not wait for sectors to end. We should not wait until they are in the Intreo office as individuals. We should offer collective supports like the SOLAS scheme, as suggested by Senator Gavan, when groups of workers are involved. We need particular measures that are targeted to support those workers and we must get in there with those schemes ahead of the closure of businesses so that we are not waiting until people are just individuals on jobseeker's payments. Rather we must recognise them when they are a collective group of people who are important to their communities and deliver solutions that will work for them.

The other part of just transition we need to look to is to make sure we deal with things like inadvertent consequences. Demolition was mentioned and it is important that we do not create a perverse incentive to encourage demolition, for example, when we know the embodied energy from that is so great. We must look to the winding down of businesses and sectors and part of that is thinking, not just from the compensatory point of view but also from the environmental point of view, about how we would do that in a responsible way. For example, we should not just compensate people for demolition but if they repurpose they should also be getting funding to support that repurposing because we know that fits our environmental goals. At the moment there is only an option of potential compensation for demolition even though everybody has highlighted the problems with it, rather than compensation for repurposing for example. It is about repurposing, finding a new purpose and finding new opportunities for workers, businesses and industries. It has been a thoughtful discussion and this is a chance for us to get the template on just transition right. I hope we might even have a situation where the Minister of State would bring proposals back on Committee Stage.

The statutory redundancy period of two weeks is not enough. It needs to be more like six weeks. We need to bring in the kind of thing workers should and do negotiate so that they genu-

inely have the base they need to start in new areas of employment and work in their areas and communities. I imagine and hope that Members across the House will bring proposals on how we can improve section 7. I hope the Minister of State will do so as well and we might have an opportunity to tease these things out in the time ahead.

**Senator Paul Gavan:** As we are still dealing with section 4, I want to respond to the point the Minister of State made. I welcome the fact that she mentioned that she plans to bring in dog-related amendments in further legislation. When does she plan to do that and what legislation will they be part of?

**Senator Pippa Hackett:** I will respond to that point first. The proposal is not to bring legislation but the Department is working on a proposal that is in keeping with the proposed amendment suggested by Senator Gavan and his colleagues. I expect that to reach the Oireachtas in the coming months. That is the information I have but I will delve into it and find more details out because it is something I am interested in.

Senator Higgins put it well when she said it has been a thoughtful discussion on this issue. These issues might not have had the opportunity to share the limelight because the focus has been on shutting it down for years and thought did not go into what happens at the end as much as we would have liked it to. We are at that stage now. Ireland is not the first country to impose a prohibition on fur farming. It has been done in a number of European countries and we have looked to how those countries have dealt with those situations and how they have looked at compensation packages and so forth. I disagree with Senator Lombard and it is not fair to say that my Department is sitting on three farm families. There has been engagement and if that needs to be improved, further engagement will take place. We conducted the independent review and that was at an expense to the taxpayers in this country so we are taking the issue seriously. Across the House it is clear that two weeks of redundancy is not sufficient. I agree with that and I will bring it back to my Department to see what can be done on that. It is clear from across the House that there has not been a satisfactory response on that.

I refer to whether it will be five years or ten years. Ordinarily it is worth saying that usually only an average of three years would be looked at so five years is better than three. I accept that it is not as good as ten years but the Department has not been presented with evidence of this ten-year cycle that has been the foundation for this desire for a ten-year period of time. If that were to be forthcoming maybe the Department could reconsider it.

On demolition versus repurposing, perhaps it depends on the type of building involved. However, if there is potential to repurpose rather than demolish and there is potential to start something new using the existing building, I do not see why we could not look into that. I hope I have addressed all the comments.

**Senator Regina Doherty:** On the basis that the Minister of State has agreed with some of the suggestions that have been made tonight and given that we will finish in a few minutes anyway, it would be better if we did not let section 4 stand part of the Bill. That would give the Minister of State and Members the opportunity to put amendments down to section 4 when we resume on Committee Stage either next week or the week after.

**Acting Chairperson (Senator Pauline O'Reilly):** What is the Leader proposing? Unless there is a request I cannot adjourn early.

**Senator Regina Doherty:** I propose that we adjourn early or that somebody talks for the

next five minutes until we get to 7.30 p.m.

**Acting Chairperson (Senator Pauline O'Reilly):** Is the Leader proposing that we adjourn now?

**Senator Regina Doherty:** Yes.

**Acting Chairperson (Senator Pauline O'Reilly):** Is that agreed? Agreed.

Progress reported; Committee to sit again.

**Acting Chairperson (Senator Pauline O'Reilly):** When is it proposed to sit again?

**Senator Regina Doherty:** Tomorrow morning at 10.30 a.m.

Cuireadh an Seanad ar athló ar 7.28 p.m. go dtí 10.30 a.m., Déardaoin, an 17 Feabhra 2022.

The Seanad adjourned at 7.28 p.m. until 10.30 a.m. on Thursday, 17 February 2022