

Social
Democrats

Holly
CAIRNS TD
Representing West Cork



Holly Cairns TD submission

Draft Agriculture Appeals (Amendment) Bill 2020 – Public Consultation - 28th August 2020

Overview:

The Bill's content and sentiment are flawed and will not address the underlying issues in the sector. The forestry licencing system as administered is not fit for purpose which is both putting the sector at risk and simultaneously hindering afforestation and biodiversity strategies. In response the Department of Agriculture, Food, and the Marine, should ensure the proper resourcing of the appeals system to guarantee timely processing, and, more fundamentally, the Forest Service should increase its emphasis on compliance with Irish and EU environmental law. Instead, the bill focuses on restricting the ability of the public or organisations to make appeals, imposes new restrictions on who qualifies as environmental NGOs, and introduces economic barriers. These proposed amendments are deeply concerning to myself as a social democrat and to anyone who values public participation in decision making and civic values.

In essence, it proposes a drastically watered-down appeals process as a solution rather than proactively working with industry and communities and fulfilling the requirements of Irish and EU legislation. The forestry industry, including cooperatives and farmers/growers, have been highlighting issues with the administration of the licencing system for some time, however, inaction has pushed this sector to breaking point, leaving little option for them but to accept whatever resolution the Department proposes. This point is furthered by the short public consultation timeframe for the bill and its occurrence during the summer holidays/Dáil recess.

 +353 86 361 5830

 holly.cairns@oireachtas.ie

 www.hollycairns.ie

 www.socialdemocrats.ie/our-people/holly-mckeevercairns

Recommendations

Following my engagement with the forestry sector and civil society organisations, and requests from constituents, I am recommending:

- The proper resourcing of the Forestry Appeals and Licencing process to ensure that all licenses and appeals are processed in a timely manner, including the clearing of the substantial backlog by 30th Sept 2020;
- Ensure the independence and transparency of the licencing system, and facilitate the industry in adhering to Irish and EU environmental law through the provision of guidance and personnel;
- An independent review of the implementation of the Forestry Act 2014 by the Department to assess how such a substantial backlog was allowed to accrue (reported over 400 licences with the Forestry Appeal Committee who can only handling 25 per month) and the actions the Department/Forestry Service have taken to ameliorate the situation, which should be published no later than 31st Oct 2020;
- The discontinuation of the bill which is repugnant to public and civic participation, and the commitment that the Department permanently abandons any attempts to restrict or undermine the capacity of individuals, communities, and civil society organisations to take legitimate appeals and hold authorities to account in any area under its remit;
- The commencement of a comprehensive reform of the forestry sector to put in place a model that supports this growing and valuable sector and enhances our environmental and biodiversity strategies, including a new forestry programme;
- The creation of a Forestry Knowledge Transfer Programme, similar to the Beef and Dairy ones, is to up-skill Irish farmers, to encourage efficiency and effectiveness of work and ensure they engage in a process of continuous improvement
- Establish a taskforce with representatives of the sector, including private companies and cooperatives, environmental and community groups, and recognised experts in forestry and environmental science/regulation, to develop best practice working models and systems to prevent future contentions and crisis;
- The Department of Agriculture, Food, and the Marine, prioritises procedures and policies which follow and enact the Aarhus Convention, including the publishing of practical guidelines and demonstrable cases of adherence by the Department and the Forestry Service no later than 31 Jan 2021.



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