

## **ECC Timber Products**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.

I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,



## **Balcas Timber**

- There are long delays to licences caused by the FAC
- The FAC cannot cope with the workload
- This is hindering forestry activity and damaging the industry
- It is vital that the FAC is reformed to make it fit for purpose
- You support the proposed changes
- Peoples livelihoods are at stake here.

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**EAEC Ltd**

A Chara,

I wish to make a submission in respect of the above draft bill.

I am a forest owner and farm adviser in private practice.

All parts of the forest industry, from primary producer to processor are, and have been, experiencing extreme levels of uncertainty in recent years. This is despite the fact that Irish forestry policy is in general ambitious and progressive and has taken on board environmental considerations. Furthermore forestry, both existing and new, is widely viewed as a key element in national and international climate change strategy. The current very low levels of afforestation are but one manifestation of the present problems.

The uncertainty noted arises from vulnerability placed on conventional forest planting, management and harvesting operations by the current regulatory system. Contrarian and serial objectors to the existing licensing and appeals procedures are easily able to disrupt, delay and inhibit forest operations. No objective or scientific criteria are required to participate in the licensing and appeals processes as they currently exist.

This inequitable and unreasonable access to the licensing and appeals system threatens public policy and it holds many livelihoods to hostage.

I would ask that any proposed amended legislation reflect on the current inequity and take steps to protect adopted policy and the wider public good.

Le meas

EAEC Ltd

**D Butler Engineering Ltd, David Butler**

Good afternoon

I am a director of D.Butler Engineering Ltd that is involved in the manufacture and repair of sawmill equipment for Woodfab Timber Limited. Murray timber. Michael grace timber Limited. Bill Keogh sawmill.greenwood timber and ballon sawdust which equates to 82% of our business

I am concerned at recent reports about the backlogs in the State's forestry licensing and appeals system. This risks pushing my industry into crisis, endangering jobs in our industry. This will directly impact on our business and the livelihoods of our employees.

I understand that there are long delays to licences caused by the FAC. At the current run rate it will take 18 months to clear the backlog of licences with the FAC. It is clear that the FAC simply cannot cope with the workload. The changes to the legislation included in the draft bill should help this situation providing the FAC is adequately and quickly resourced. It is vital that the FAC is reformed to make it fit for purpose.

In summary I would like my support of the draft legislation to be noted.

Regards

David butler

D butler engineering Ltd

**Meditate Smartply,**

***To whom it may concern***

***I [REDACTED], wish to make the following submission regarding the recently drafted amendments to the Agricultural Appeals Act 2001;***

- ***I wish to state that I fully support these amendments which need to be implemented urgently and in full.  
I am making this submission as I work in the forestry / forest products sector and understand how important these amendments are to align the forestry licencing and appeals processes with similar planning processes and to improve the overall efficiency of this system.***

***I can be contacted on this email or [REDACTED]***

***Regards,***

**Robertson Low**

Dear Sir/Madam

I write to confirm that as an employee of an Insurance Brokers that act for a wide wide range of clients operating in the Forestry Industry I support the upcoming Bill as the failure of any of these Forestry clients could potentially have an impact on the viability of my own employment.

Kind regards



**ROBERTSON LOW**

**Annemarie O'Brien** CIP

**Account Executive**

**D** +353 (0)57 869 4064

**E** [aobrien@robertsonlow.com](mailto:aobrien@robertsonlow.com)

**W** [www.robertsonlow.com](http://www.robertsonlow.com)

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**Templecrone Co-op Society Ltd**

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I just have a few simple facts:

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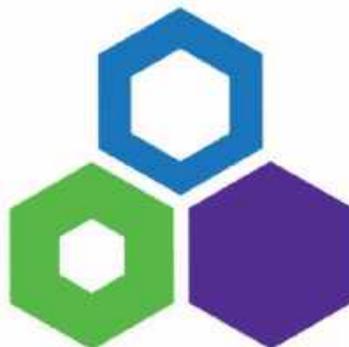
27<sup>th</sup> August 2020

# Draft Agricultural Appeals (Amendment) Bill 2020

**SUBMISSION TO PUBLIC CONSULTATION**

SUBMISSION MADE TO: [FORESTRYBILL2020@AGRICULTURE.GOV.IE](mailto:FORESTRYBILL2020@AGRICULTURE.GOV.IE)

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Forest Industry  
Transport  
Group

## 1. Managed Forestry in Ireland

Managed forestry is a fast growing, green industry which provides rural jobs, contributes to climate action, facilitates tourism and recreation and produces technologically advanced timber and biofuel products. The industry, which is managed to the highest European standards, makes a €2.3 billion contribution to the Irish economy and supports 12,000 jobs. The Forest Industry Transport Group [www.fitg.ie](http://www.fitg.ie) is proud to support this important sector. Ireland's rural communities in particular benefit greatly from the jobs created by the forestry industry. By 2035, it is expected that the sector will double in size.

Forestry has the potential to significantly contribute to Ireland's obligations to mitigate climate change and provides valuable habitats for biodiversity and nature, along with important ecosystem services such as water quality and flood protection. Forestry can also meaningfully improve farm income and farm value.

The formation of a new government, together with an important and ambitious Programme for Government, *Our Shared Future*, paves the way for policy formation, legislation and change. We will always seek to engage positively with Government into the future and we note in particular that forestry can play an important role across so many of the objectives laid out in the Programme for Government.

This is a shovel ready sector, with real potential to grow sustainable local and green jobs. With so many economic unknowns due to Covid-19, it is more important than ever to protect the current jobs in this sector;

Waterford: 470 jobs; Carlow: 110 jobs; Kilkenny: 355 jobs; Tipperary: 740 jobs; Wicklow: 760 jobs; Cork: 1,395 jobs; Galway: 950 jobs; Laois: 420 jobs; Leitrim: 565 jobs; Sligo: 445 jobs; Longford: 245; Kerry: 815 jobs

## 2. Current crisis

At present, the forestry industry is at crisis point.

Since the introduction of new forestry licensing procedures in 2019, the processing and issuing of forestry licences have been seriously impacted and this sector has now reached crisis point. This sector that already delivers so much in terms of jobs, reducing the impact of climate change and providing a fantastic recreational resource, needs a system that is fit for purpose. This is not the case currently and the ability to operate and plan is being impeded by administrative inadequacies and procedural barriers. We don't believe that this would be tolerated anywhere else in Europe.

The industry is being starved of the necessary timber supplies given the widespread disruption across the forestry sector. Currently, felling license approvals are only at 20% of the required rate; consequently, The potential impact is severe, both financially and with respect to jobs as sawmills will run out of timber within months unless the current impasse is resolved. The severity of the situation is underscored even further when the impact of Covid-19 is considered as unemployment soars nationally and the numbers on the Live Register remain high in hard hit rural communities. The forestry sector was designated as providing an essential service when Covid-19 restrictions were introduced and this status remains today. The need for more housing in Ireland remains at an all-time high and a forestry sector impact will hamper the construction industries ability to deliver.

Another central part of the licensing process, the Forestry Appeals Committee (FAC) has caused significant difficulties. At present, there are approximately over 400 outstanding projects appealed but not yet processed – these appeals impact planting, felling and road building. Since the start of the year, the FAC has only processed an average of circa 25 projects per month. At the present rate at which appeals are being processed, it will take 16 months to clear the backlog. However, the rate of new appeals continues to grow and is actually far greater than the rate at which they are being processed - leading to an ever increasing backlog. In one day in early August, objectors stalled production of 100,000 cubic metres of timber - enough timber to build 5,000 homes. Families across Ireland are looking

to government to address the housing crisis so it is important that action is taken that will not further hamper the progress that has been made to date.

Given the vast majority of appeals are lodged by a small handful of individuals and target forest policy generally rather than any specific project, we now need this legislation to return a more fair and equitable system.

We believe that these issues can be addressed, and solutions identified but action must be taken now before more jobs are lost rather than created and the true potential of the industry is undermined.

### 3. Comments regarding the draft legislation

The Forestry Industry Transport Group welcomes the draft legislation and encourages its implementation with additional elements. Outlined below is the views of the Forestry Industry Transport Group with respect to specific parts of the draft legislation alongside some additional recommendations.

- **Head 3:**
  - **Annual Report:** The proposal regarding the introduction of a yearly report is welcome. A key focus of the report should be on how the FAC performs with respect to the timely delivery of decisions on appeals. Sufficient resources should be put in place to ensure that FAC decisions are delivered within 60 days of appeals being lodged.
  
- **Head 4:**
  - **Chairperson:** The introduction of a Deputy Chairperson is welcome; this would negate current difficulties where the Chairperson must be a participant in every appeal.
  - **FAC Divisions:** I welcome the proposal to allow the FAC to meet in divisions and recommend that a division of the FAC should be able to operate without one of the Chairpersons and be comprised of FAC board members only.
  - **Quorum:** A quorum for a committee should be 2 rather than 3, as this is appropriate to the level of complexity of forestry projects and it will allow the statutory timeframe of 2 months to be met.
  - **Criteria for FAC Membership:** The FAC will be able to fully utilise the resources at its disposal by the removal of the requirement for a member of the FAC to be of a specified grade – this is a welcome proposal.
  - **Resources:** The FAC must be adequately resourced and have the appropriate manpower to clear the backlog and reach a point where all appeals are decided upon within 60 days of an appeal being lodged.
  - **Timeframe for Appeals:** As noted above, a decision on all appeals should be issued within 60 days of an appeal being lodged – a statutory timeframe should be put in place for dealing with appeals; an approach already adopted for some housing developments. This additional amendment is of fundamental importance to improving the effectiveness of the forestry appeals legislation.

- **Head 5**
  - **Payment of fees:** The proposal regarding an introduction of a fee for appeals is welcome and a key step to ensure the FAC is adequately resourced and brings the process in line with other planning requirements.
  - **Oral Hearings:** The Forestry Industry Transport Group supports the proposal regarding the power of the Chairperson(s) to determine whether an oral hearing is required to determine an appeal. The holding of oral hearings has created long and unnecessary delays.
  - **Ministerial Powers:** The proposal for the relevant Minister to retain the stated powers to issue Directives and formulate regulations for the FAC is welcome.
  
- **Additional Measures to those contained in the draft legislation:**
  - **National forestry policy:** Terms of reference for the FAC should make note of the obligation of the licensing system and the process for appeals to support national forestry policy. The importance of the forestry sector, the employment it supports throughout Ireland and its €2.3 billion contribution to the national economy have been recognised by successive governments.
  - **Appeals without sufficient ground:** The Chairperson of the FAC should be given powers to reject appeals which are without sufficient ground or merit.
  - **Site specific appeals:** Valid grounds for appeal should be further developed to ensure all appeals are related to a specific site and are not used as a mechanism to object to national forest policy.
  - **Appeals determination and precedence:** The Chairperson of the FAC should establish a firm precedent from existing decisions; this would avoid a situation of hearing repeated appeals that are generic and raise no new issues. If an appeal is upheld or rejected, the FAC should be able to examine its backlog of existing appeals (and new appeals) and summarily issue the same decision on appeals of exactly the same type and same pertinent factors.
  - **Lodging of appeals:** The Minister should establish more rigorous requirements with regard to an application to appeal; that is to say that an appeal should have grounds that relate to an individual licence rather than a group of licences. Evidence for specific appeals should be provided when lodging the appeal and the appellant should be required to state their specific interest in the licence that they are appealing.

## 4. Conclusion

Formed in 1999, the FITG is an industry forum with representatives from all major stakeholder groups, including:

- Department of Agriculture, Food and the Marine (DAFM)
- Department of Transport, Tourism and Sport (DTTAS)
- Local Governments
- Forest Industry
- Haulage Sector
- Educational Bodies
- Teagasc

Among the objectives of the FITG is the provision of a forum to discuss issues relating to timber haulage, identify international best practice and encourage innovation in areas concerning timber transport.

In 2014 Ireland and other EU countries agreed to reduce greenhouse gas emissions by at least 40% by 2030 compared to 1990 levels. This is a challenging target and Ireland's National Mitigation Plan outlines a number of measures which includes increasing forest cover, replacing fossil fuels with biomass and reducing emissions in other sectors of the economy. Agriculture and transport account for over 50% of greenhouse gas emissions and adaptation and mitigation measures are required.

Ireland's forests are projected to contribute up to 2.2 million tonnes of CO<sub>2</sub> equivalent to its annual emission targets under flexibilities introduced under the EU Effort Sharing Regulation. In order to achieve government policy in this area and for Ireland to reach its international commitments under the related headings, it is essential that continued investment in the road network takes place.

There are currently 21,000 private forest owners, of whom 85% are farmers, with an average plantation size of just 8 hectares. This fragmented structure will pose significant challenges for harvesting and transport. There is a clear absence of any economies of scale available at both the forest owners' level and those industry participants seeking to work in such small holdings. This leaves forest owners, harvesting companies and hauliers highly cost sensitive when it comes time to thin or clearfell the typically small forest holdings that are increasingly mature and ready for such activities.

Forestry is "a central pillar of Ireland's National Policy on the Bioeconomy" (Growing the Irish Forest Bioeconomy – COFORD 2018). Among a number of proposals to aid growing the bioeconomy are:

- Ensuring a "long-term, consistent and growing supply of roundwood to the processing industry..."
- "Promote a deeper understanding of the economic, social and environmental benefits of the forest sector ..."

It is noted that moving from “fossil resources toward biomass also improves resilience and has strong potential for revitalising rural economies.” Within this, forestry is recognised as “leading the drive towards land-use carbon neutrality in Ireland.”

With an approximate 330 timber lorries on the road today, there are now more timber truck movements per day in Ireland than there are for cattle truck movements such is the increasing importance of the sector. It has been calculated that the current fleet contributes in excess of €17 million per annum in direct taxes, fees and levies to central funding. This is not including any indirect contribution that would emanate from the wider activities and support related to this fleet.

There are an expected 120,000 timber truck movements in Ireland in 2017. By 2035, this figure is expected to rise to 260,000, an increase of 140,000 movements which will have to be matched by increased direct and indirect employment and related taxes and duties.

The Irish State has, since the 1980s, financially incentivised landowners to transfer lands into forestry and has invested many billions of euro. This is a permanent land use change resulting in the landowner foregoing other incomes from the land which has enabled the expansion of the national forest estate. This strategy also reduced the exposure of the State to the entire cost of buying, planting, managing and harvesting forests, which it had done historically for decades, while at the same time promoting a new forestry culture in Irish society. This strategy has been successful with the national estate now evenly split between private and state-owned forestry.

Therefore, this important legislation must be implemented quickly so that this sector can continue to be sustained and help Ireland meet its climate targets.

Yours sincerely,

Des Phelan

Chairman

Forest Industry Transport Group



**26th August 2020**

# **Draft Agricultural Appeals (Amendment) Bill 2020**

**SUBMISSION TO PUBLIC CONSULTATION**

SUBMISSION MADE TO: [FORESTRYBILL2020@AGRICULTURE.GOV.IE](mailto:FORESTRYBILL2020@AGRICULTURE.GOV.IE)

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**SUBMISSION FROM MEDITE EUROPE DAC**

**REDMONDSTOWN  
CLONMEL  
CO TIPPERARY**

**NEIL.FOOT@MDFOSB.COM**

## 1. Commercial Forestry in Ireland

Commercial forestry is a growing, vital and green industry utilizing an indigenous and renewable raw material to produce essential sustainable construction products which would otherwise be imported as well as multiple other social and environmental benefits.

This unique industry also provides rural jobs, contributes to climate action, facilitates tourism and recreation and produces technologically advanced timber and biofuel products.

The industry, which is managed to the highest European standards, makes a €2.3 billion contribution to the Irish economy and supports some 12,000 jobs. By 2035, it is expected that the sector would double in size.

MEDITE is an Irish owned company, recognized globally for our market leading wood panel products. We provide over 150 jobs directly in the south-east around our manufacturing plant in Clonmel as well as making a significant contribution to indirect employment and the local economy.

Our business is located in the south-east since 1982 and we are currently considering further investment in our MDF manufacturing facility there.

MEDITE products are currently used in the construction and renovation of homes, schools, hospitals and commercial buildings as well as in furniture. MEDITE MDF products are highly regarded throughout Britain and the EU for their quality, sustainability and innovation and our customers include many of the leading companies in this sector.

## 2. Imminent supply crisis

MEDITE is becoming increasingly concerned that the introduction of new forestry licensing procedures in 2019 appears to have almost completely stymied both harvesting and planting in Ireland with potentially catastrophic effects for our industry, employees and customers. Our ability to plan, operate and supply customer commitments is being impeded by administrative inefficiencies and procedural barriers, which do not exist in other European countries where our competitors operate.

We understand from our suppliers, including Coillte and numerous private companies in the sector which depend on MEDITE and vice versa that a central part of the licensing process, the Forestry Appeals Committee (FAC) is compounding the problem as it currently operates.

We believe that these issues can be addressed, and solutions identified but action must be taken now before jobs are lost rather than created and the existing industry is permanently undermined.

### 3. Comments on the draft legislation

MEDITE welcomes the draft legislation and encourages its implementation with additional elements. Outlined below is the views of MEDITE with respect to specific parts of the draft legislation alongside some additional recommendations.

- **Head 3:**
  - **Annual Report:** The proposal regarding the introduction of a yearly report is welcome. A key focus of the report should be on how the FAC performs with respect to the timely delivery of decisions on appeals. Sufficient resources should be put in place to ensure that FAC decisions are delivered within 60 days of appeals being lodged.
  
- **Head 4:**
  - **Chairperson:** The introduction of a Deputy Chairperson is welcome; this would negate current difficulties where the Chairperson must be a participant in every appeal.
  - **FAC Divisions:** We welcome the proposal to allow the FAC to meet in divisions and recommend that a division of the FAC should be able to operate without one of the Chairpersons and be comprised of FAC board members only.
  - **Quorum:** A quorum for a committee should be 2 rather than 3, as this is appropriate to the level of complexity of forestry projects and it will allow the statutory timeframe of 2 months to be met.
  - **Criteria for FAC Membership:** The FAC will be able to fully utilise the resources at its disposal by the removal of the requirement for a member of the FAC to be of a specified grade – this is a welcome proposal.
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- **Head 5**
  - **Payment of fees:** The proposal regarding an introduction of a fee for appeals is welcome and a key step to ensure the FAC is adequately resourced and brings the process in line with other planning requirements.
  - **Oral Hearings:** MEDITE supports the proposal regarding the power of the Chairperson(s) to determine whether an oral hearing is required to determine an appeal. The holding of oral hearings has created long and unnecessary delays.
  - **Ministerial Powers:** The proposal for the relevant Minister to retain the stated powers to issue Directives and formulate regulations for the FAC is welcome.
  
- **Additional Measures to those contained in the draft legislation:**
  - **National forestry policy:** Terms of reference for the FAC should make note of the obligation of the licensing system and the process for appeals to support national forestry policy. The importance of the forestry sector, the employment it supports throughout Ireland and its €2.3 billion contribution to the national economy have been recognised by successive governments.
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#### **4. Conclusion**

The strong reputation and financial viability of the forest products industry is at risk.

Changes to the licensing process, including all of the proposed comments foregoing, are urgently needed to improve its efficiency and effectiveness

Without these amendments and additional measures, the Irish forest industry faces imminent and irreparable damage including financial, employment and international reputation.



**Neil Foot**

**CEO**



**Wright Group Brokers Ltd**

Dear Sir/Madam

I write to confirm that as an employee of an Insurance Brokers that act for a wide range of clients operating in the Forestry Industry I support the upcoming Bill as the failure of any of these Forestry clients could potentially have an impact on the viability of my own employment.

Kind regards

27<sup>th</sup> August 2020

# Draft Agricultural Appeals (Amendment) Bill 2020

SUBMISSION TO PUBLIC CONSULTATION

SUBMISSION MADE TO: [FORESTRYBILL2020@AGRICULTURE.GOV.IE](mailto:FORESTRYBILL2020@AGRICULTURE.GOV.IE)

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SUBMISSION FROM AEMS ECOFLEET, CONOR MOLLOY

50-56 MERRION ROAD, BALLSBRIDGE, DUBLIN 4

01 230 5018

TEAM@AEMS.IE

## 1. Managed Forestry in Ireland

We have worked with Coillte, its hauliers and harvesters across Ireland since 2011, without exception they are hard working rural SME's employing skilled operators on a reliable basis and contributing at every level within their communities.

Forestry has the potential to significantly contribute to Ireland's obligations to mitigate climate change and provides valuable habitats for biodiversity and nature, along with important ecosystem services such as water quality and flood protection. Forestry can also meaningfully improve farm income and farm value.

From our perspective as energy managers, we can see the opportunities to replace concrete (responsible for 8% of global GHG emissions) and steel with homegrown timber embedding GHGs.

We have watched the industry mature and develop its expertise and operational efficiency to the point where it is cited as an example of best practice in global forums such as Smart Freight Centres sustainable logistics roadmap.

We are submitting to this consultation to emphasise the absolute imperative for government to allow the industry to return to work.

## 2. Current crisis

Our contacts in the sector tell us that since the introduction of the new forestry licensing procedures in 2019, the processing and issuing of forestry licences have been seriously impacted. The current system is not fit for purpose and the ability to operate and plan is being impeded by administrative inadequacies and procedural barriers, which exist nowhere else in Europe.

Once again we are seeing the balance tipped in favour of bureaucratic delay over jobs and climate action, where armchair objectors can use copy & paste to destroy companies cashflow whilst not making any difference whatsoever to the environmental impacts.

### 3. Comments regarding the draft legislation

AEMS welcomes the draft legislation and encourages its implementation with additional elements. Outlined below is the views of AEMS with respect to specific parts of the draft legislation alongside some additional recommendations.

- **Head 3:**
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**Fergus Hanley Ltd**

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2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; Peoples livelihoods are at stake here.

Kind regards,

**Conway Port**

Good afternoon

We wish to take this opportunity to advise you of our support for the forestry bill 2020

The position as it now stands is damaging to the economy, unsupportive of the forestry industry, unbalanced and unreasonable.

We believe it is vital that the current position is reformed not only in the interest of the forestry industry but in the interests of the economy as a whole.

It has been forecast that this country will need to provide 35000 homes per annum in the coming decades and the provision of commercial timber is central to achieving this.

At the present time there are long delays with the processing of license applications and the granting of licences.

There are insufficient resources in terms of personnel available to process licences and ongoing applications.

The forestry industry is being damaged on a daily basis with a 'knock on' effect on construction, employment and the wider economy.

Presumably, the intention of the government is to have an active forestry industry which contributes in a positive manner to the state and its citizens.

The position as it stands is untenable and simply needs to be changed.

With all of the other challenges facing the Irish economy this is a time for common sense to prevail and we would hope that our public representatives and civil service

can work together in a positive manner to improve the current position for the benefit of all concerned.

Best Regards,



**Kevin Conway**

Agency Director

## **CONWAYPORT**

R.F.Conway & Company Ltd

North Quay

Wicklow

**Phone :** 00 353 (0)404 67019 EXT 1

**Fax :** 00 353 (0)404 67120

**Mobile:** 00 353 (0) 87 2606843

[WWW.CONWAYPORT.COM](http://WWW.CONWAYPORT.COM)

Directors: Robert F Conway Kevin Conway  
Registered Number 91201

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**Axe Forestry Ltd**

Dear Sir(s),

In my first hand experience of working as a Registered Forester in the forestry industry it is clear to me that the FAC cannot cope with the backlog of files and this increased workload is further increasing the long delays to licences caused by the FAC.

As has been widely reported in local and national media in recent times this is hindering the forestry industry and also at the same time damaging the industry. I feel it is vital that the FAC is reformed and made fit for purpose.

Forestry in Ireland is estimated to be worth in the region of €2.2 billion to the economy annually with 12,000 jobs dependent on this sector. People's livelihoods are at stake here and this must be treated as a matter of urgency that the FAC is reformed. I support the amendment to this bill.

Regards,  
Robbie Kehoe  
(085) 817 3780

Axe Forestry Ltd  
Chruch Street  
Co Roscommon  
F42 R972  
Mob: +353 (85) 817 3780  
Email: [r.kehoe@axeforestry.ie](mailto:r.kehoe@axeforestry.ie)

[www.axeforestry.ie](http://www.axeforestry.ie)

**Chadwicks**

26<sup>th</sup> August 2020

Dear Sir/Madam,

In response to the consultation document on forestry please receive my proposals

**Proposals**

1. That the current backlog is allowed to be fast-tracked and the timber brought to market, until the new procedure comes into being. By Ministerial Directive if required.
2. That only those with a reasonable interest in a forestry licence “relevant person” have a right to object/appeal- those that live adjacent and/or have taken part in the forestry application process.
3. That the grounds on which objections/appeals are accepted are clear.
4. That there is a charge for objecting/appealing- and that this charge is repaid to objectors/appellants in the event of them winning their case, forfeited if they lose.
5. That the Dept hire the requisite number of staff to process licenses and appeals in a timely and fair manner.
6. That the turnaround time for appeals is 2 months or less – in line with An Bord Pleanála.

This needs to be addressed. As it is, and if allowed to continue, it is

Bad for jobs

Bad for rural Ireland

Bad for exports

Bad for business

Bad for our carbon footprint

Bad for the public purse

Bad for building

Bad for renovating

Bad for retrofitting

Bad for the environment

You have to ask -Who is this good for?

## **ECC Timber Products**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.

I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,



ECC Timber Products

**DNG**

We need changes to the current system

There are long delays to licences caused by the FAC

This is damaging the Forestry industry

The FAC can't cope with the workload

It is vital for reform to make it fit for purpose

Peoples livelihoods are at stake we need change

I support the proposed changes

Forestry Owner ( have applied for a felling licence)

Yours Sincerely

## **HMP Harmon McCarthy Projects Ltd**

Good afternoon Minister,

I am a director of a Consulting Engineering Firm. Our firm consists of Engineers, Architects and Building Surveyors. We concentrate on small and medium size projects ranging from €50,000 up to €4M.

I am concerned at recent reports that housebuilding across Ireland could be undermined as backlogs in the State's forestry licensing and appeals system risks potentially pushing the industry into crisis, endangering timber supplies and up to 12,000 jobs. This will directly impact on our business and the livelihoods of our 8 employees. In addition to this point we are also very much aware of the shortage of construction timber available at the moment from builder's providers. This is having a delay affect on the completion of house projects we are currently involved with.

I understand that there are long delays to licences caused by the FAC. At the current run rate it will take 18 months to clear the backlog of licences with the FAC. It is clear that the FAC simply cannot cope with the workload. The changes to the legislation included in the draft bill should help this situation providing the FAC is adequately and quickly resourced. It is vital that the FAC is reformed to make it fit for purpose.

I would like my support of the draft legislation to be noted.

Regards & thanks,

Brian

Brian Harmon B.Eng C.Eng MIEI Dip. PM M.Sc  
Consultant

**HMP** **Harmon McCarthy Projects Ltd**  
Chartered Engineers, Architectural Services, Building Surveyors, Project Managers

**Harmon McCarthy Projects Limited**

No 5 Baldara Court, Ashbourne, Co. Meath, A84 E392

Ph 01 8499800 Mob 086 8386725 [bharmon@hmp.ie](mailto:bharmon@hmp.ie) [www.hmp.ie](http://www.hmp.ie)

**Balcas**

People livelihoods are at stake in mostly rural and economically poorer communities

**Balcas**

To Whom it may Concern,

I support the Forestry Bill for the following reasons:

1. There are long delays to licences caused by the FAC
2. The FAC cannot cope with the workload
3. This is hindering forestry activity and damaging the industry
4. It is vital that the FAC is reformed to make it fit for purpose
5. People's livelihoods are at stake here.

**Balcas**

This is hindering forestry activity and damaging the industry.

## **Nicklin Transit Packaging**

Dear Sirs

I, [REDACTED], wish to make the following submission regarding the recently drafted amendments to the Agricultural Appeals Act 2001.

I wish to state that I fully support these amendments which need to be implemented urgently and in full.

I am making this submission as I work in the forestry/timber packaging sector and understand how important these amendments are to align the forestry licencing and appeals processes with similar planning processes and to improve the overall efficiency of this system.

Yours faithfully,

## **ECC Timber Products**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.

I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,



**IWP – Ire Wel Pellets Limited**

Good afternoon,

I just wanted to state that I work in the pallet and packaging sector and we are 100% reliant on using Irish grown timber to produce pallets. I feel that the industry as a whole and of course Irish exports will cease abruptly if this issue is not resolved.

**Best Regards**

## **Chadwicks**

Good afternoon, I support the legislation & the following reasons are why I support the Draft.

1. Peoples livelihoods depend on this & I support the forestry industry because I sell timber for a builders merchant.
2. There are long delays to licences caused by the FAC.
3. The FAC cannot cope with the workload
4. This is hindering forestry activity & damaging the forest industry
5. It is vital that the FAC is reformed to make it fit for purpose.

We need this legislation passed to save jobs & the industry.

## **ECC Timber Products**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.

I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,



ECC Timber Products

**Palletland**

***I [REDACTED], wish to make the following submission regarding the recently drafted amendments to the Agricultural Appeals Act 2001.***

***I wish to state that I fully support these amendments which need to be implemented urgently and in full.***

***I am making this submission as I work in the forestry/timber packaging sector and understand how important these amendments are to align the forestry licencing and appeals processes with similar planning processes and to improve the overall efficiency of this system.***

***Regards,***

***Managing Director***

## **Balcas**

People's livelihoods are at stake here.

---

**[www.balcas.com](http://www.balcas.com)**

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**Chadwicks**

Dear Sir / Madam

I [REDACTED] wish to make the following submission regarding the recently drafted amendments to the Agricultural Appeals Act 2001, I work in the Construction Sector myself, Peoples livelihood depends on this like myself and many Thousands of people across the country

Many Thanks

**Pat Rynn Engineering Ltd**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.

I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,

**Balcas, Emma Holden**

1. People's livelihoods are at stake here.

Emma Holden

**Emma Holden**  
Scheduling Team

DL: +44 28 6641 1045

Office: +44 28 6641 1001

---

75 Killadeas Road  
Enniskillen, Co. Fermanagh,  
Northern Ireland, BT94 2ES

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## Balcas, Clare Friel

To Whom it may Concern,

I fully support the amendment to the Agriculture Appeals Act, 2001 to align the forestry licencing and appeals processes with similar planning processes for the following reasons:

1. There are long delays to licences caused by the FAC
2. The FAC cannot cope with the workload
3. This is hindering forestry activity and damaging the industry
4. It is vital that the FAC is reformed to make it fit for purpose
5. People's livelihoods are at stake here.

Regards,

Clare Friel

### Clare Friel

Compliance Officer

M: +44 77 8810 6845

DL: +44 28 6641 1056

Office: +44 28 6632 3003

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75 Killadeas Road  
Enniskillen, Co. Fermanagh,  
Northern Ireland, BT94 2ES

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[www.balcas.com](http://www.balcas.com)



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service, quality and sustainability



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**Walsh Crane Hire Ltd, Colin Hynes**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.  
I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,  
Colin Hynes  
Walsh Crane Hire Ltd

**Colin Hynes**  
**Walsh Crane Hire Ltd**  
**Galway**  
**P 091-796155**  
[www.walshcraneireland.com](http://www.walshcraneireland.com)

**Wood Technology Ireland**

*Wood Technology Ireland fully endorses the proposed amendments to the 2001 Agricultural Appeals Act.*

*We believe that they are important to help ensure continuity of timber supply in the timber sector including construction, pallets, battens and general timber products. The amendments will in particular help to secure employment in the felling and processing areas; the complete implementation of the amendments is needed without delay.*

*Wood Technology Ireland works in the forestry and timber sectors and considers the proposed amendments to be important and necessary to improve forestry licencing and the appeals process.*



*Wood Technology Ireland*

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.

I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

--

Kind Regards,



**Derry Quay Construction Ltd**

**Peter Sheeran Timber Harvesting, Peter Sheeran**

To whom it concerns.

My name is Peter Sheeran I am a Timber Harvesting contractor from co. Laois. I am only one of many timber harvesting contractors in this country and I am writing to you by way of this letter to express some serious concerns within the industry which are at present and will in the future have serious consequences to my business, both with regard to financial, personal, and loss of employment. Forestry is a fast growing industry in our country, it provides huge employment throughout the country, contributes to climate action, tourism, and produces advanced timber and biofuel products. I have been in the timber industry for the last thirty five years and have given a loyal and dedicated service to this industry. The forestry industry supports over twelve thousand jobs in this country and there are over four hundred employed in the Laois area. Over the years I have invested in specialised machinery which had to meet with certain criteria keeping in line with all the environmental regulations and requirements. In doing so you borrow on the strength of the continuity of work, but at this present time since the new forestry licensing procedures in 2019 has had a serious impact on my business trying to secure work. In the last two to three years I have invested heavily in over 1.5 million euros to purchase new machinery for my business, this of course was on the strength of securing long term contracts and the continuity of work ahead. And for the benefit of those people who have nothing better to do with their time yes that is the cost of those machines, which might I add have to be paid for. The current situation with the felling licence fundamentally will lead to the closure of my business and possible bankruptcy. This new system is not fit for purpose and to actually allow one person or any one organisation to hold the whole forestry industry to ransom just because they woke up some morning and basically made a conscious decision to make someones life difficult while i'm out breaking my back night and day to service my financial commitments, and also keeping the numbers down on the live register. I cannot comprehend how someone is allowed to put in an objection for something which no.1 has no impact or relevance on their lives or livelihood surely at the very least they must have substance or merit, and by doing so have the potential to shut the forestry industry down. Does anyone actually realize the disruption this has caused across the forestry sector and to me personally, it is financially and emotionally draining. I have huge commitments to the banks at this time and it's an impossibility to even try and find a way around this. Somebody needs to stand up and take accountability for this the whole situation needs to be amended and reviewed with immediate effect payment of fees would be a start if they were introduced it would at least bring the process in line with other planning requirements, any objection to a licence surely has to carry substance or legitimacy. The turn around time is chaotic and a waiting game, why is a chairperson not given the power to reject appeals that are without sufficient grounds or merit, simple solution!! this would avoid a situation of hearing repeated appeals that raise no new issues. Somebody urgently now needs to take responsibility to establish a more rigorous requirement with regard to an application to appeal, this is to say that an appeal should have grounds that relate to an individual licence, rather than a group of licences. At this particular time the forestry industry is at crisis point!! but more importantly SO AM I my business is sinking fast which will amount to the loss of everything for me that includes my family home, what I worked tirelessly over the years for in the hope that some day my sons could have a future in this has been all in vain, and from where i'm standing at the moment if the government don't soon open their eyes and get this industry back

on its feet they will not only have to deal with the currant situation on hand but also the loss of thousands of jobs will be monumental and that will have a knock on effect with other businesses outside of this industry whoes businesses rely on our produce. lets not forget this industry contributes 2.3 billion to the Irish economy.rest assured without a doubt if this continues I will have no other option but to put all of my staff on protective notice of most likely terminate their employment.ITS TIME TO WAKE UP NOW as if things aren't bad enough in this country and this was the one industry in this country that was striving.

Regards.  
Peter Sheeran  
T/A Peter Sheeran Timber Harvesting,  
Clonbarrow,  
Co.Laois  
email [petersheeranlogging@eircom.net](mailto:petersheeranlogging@eircom.net)  
mob.0879677382

**Glynns Homevalue Hardware, Padraic Glynn**

Dear Sir / Madam

I am writing to you in relation to the proposed changes to FAC Legislation.

I support the proposed changes to the legislation. There are long delays to licences caused by the FAC. The FAC cannot cope with its workload and this is hindering forestry activity and damaging the industry. It is vital that FAC is reformed to make it fit for purpose. People's livelihoods, mine included are at stake here.

**Padraic Glynn**

**Glynns Homevalue Hardware**

Tuam

Co. Galway

H54 V598

Ireland

Mobile: +353 87 250 72 83

Phone: +353 93 24482

Fax: +353 93 28745



**Glynns  
Homevalue**

**Balcas Timber, Matt Martin**

To whom it concerns

It is vital that the FAC is reformed to make it fit for purpose. Peoples livelihoods are at stake here

Regards Matt Martin Balcas Ltd

**Matt Martin**

Balcas Energy, Aidan Reihill

It is vital that the FAC is reformed to make it fit for purpose

Aidan Reihill

**Aidan Reihill**

**ECC, Gerard Walsh**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.  
I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,

Gerard Walsh

E: [gerrywalsh@ecc.ie](mailto:gerrywalsh@ecc.ie)

IRL: 094 9548255 UK: 0845 3990919



**Balcas Energy, Ronan Reihill**

I support the Forestry Bill

Peoples livelihoods are at stake.

Ronan Reihill

**Ronan Reihill**

Customer Support Team

**Rynn Engineering, Kieran Faherty**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.

I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Regards,

Kieran Faherty

Pat Rynn (Engineering) Ltd

Harbour Enterprise Park

New Docks

Galway

H91 W5T8

**Arbor Forest Management, Ronan O’Keeffe**

Dear Minister Hackett,

Further to the above, I would like to express my **full support** for the Draft Agriculture Appeals (Amendment) Bill 2020.

As you are aware, the forestry industry has reached a crisis point and positive action is required immediately to address the many inefficiencies of the current forestry licensing system, and in particular the forestry appeals process.

The current forestry appeals process has resulted in long delays in the issuing of forestry licences, which in turn, has had a significant detrimental effect on the productivity of the forestry industry both in terms of timber production and job creation/sustainability. It is evident, from the huge backlog of forestry appeals pending determination, that the Forestry Appeals Committee (FAC) cannot process appeals in a timely manner and is therefore not currently fit for purpose. Consequently, it is vital that the FAC is reformed.

Furthermore, the forestry appeals process is not currently aligned with the appeals process in other planning legislation. Although the Draft Agriculture Appeals (Amendment) Bill 2020 appears to go some way towards addressing this inconsistency by introducing the requirement to pay a fee when submitting an appeal, it is argued that it does not bring the forestry appeals process fully in line with other planning appeals processes. In order to do so, it is proposed that a fee should also be required when making a submission or observation as provided for under Section 10(4) of S.I. No. 191/2017 – Forestry Regulations 2017.

As a proud forester working with Arbor Forest Management in the forestry sector, I strongly believe that the proposed legislation is necessary in order to ensure the future viability of the forestry industry in Ireland.

I thank you for taking the time to consider my submission and would like to once again reiterate my support for the Draft Agriculture Appeals (Amendment) Bill 2020.

Kind regards,

**Ronan O’Keeffe,  
Arbor Forest Management,  
Enterprise House,  
Marina Commercial Park,  
Cork,  
T12 X4YW**

T: 0860656428  
E: [ronan@arbor.ie](mailto:ronan@arbor.ie)  
W: [www.arbor.ie](http://www.arbor.ie)



**Glynns International Transport & Distribution, Padraic Glynn**

Dear Sir / Madam

I am writing to you in relation to the proposed changes to FAC Legislation.

I support the proposed changes to the legislation. There are long delays to licences caused by the FAC. The FAC cannot cope with its workload and this is hindering forestry activity and damaging the industry. It is vital that FAC is reformed to make it fit for purpose. People's livelihoods, mine included are at stake here.

**Padraic Glynn**

**Glynns International Transport & Distribution**

**ECC Timber Products, Janis Dikmanis**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.  
I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind Regards,

Janis Dikmanis



**Balcas Timber, Anne Louise Carney**

I support the forestry bill

This is hindering forestry activity and damaging the industry  
Anne Louise Carney

**Anne Louise Carney**  
Sales Executive

**P & A Packing (Northern) Ltd, Peter Smith**

I Peter Smith owner and Managing Director of P & A Packing (Northern) Ltd wish to make the following submission regarding the recently drafted amendments to the Agricultural Appeals Act 2001

I wish to state that I fully support these amendments which need to be implemented urgently and in full.

I am making this submission as I work in the forestry/timber packaging sector and understand how important these amendments are to align the forestry licensing and appeals processes with similar planning processes and to improve the overall efficiency of this system

Regards,  
Peter Smith

Peter Smith  
Managing Director  
P & A Packing (Northern) Ltd

**PDM, Toni Brophy**

Hi Team,

I wish to note my support of the Draft Agriculture Appeals (Amendment) Bill 2020.

At present, our industry is at risk of a shortage of raw materials.

Sawmills will run out of timber and timber supply will be seriously impacted if this bill is not passed.

This risks Irish jobs and local economies, as well as farmers who grew commercial forestry, small independent forestry contractors and companies who manufacture timber products.

Without this legislation, large organizations who rely on Irish timber will be forced to import timber from abroad. This is a lose-lose situation for Irish farming, forestry and manufacturing & particularly in a time when business is struggling.

I strongly support this legislation and hope to see the bill past so that Irish business can thrive in the future.

Kindest Regards

Toni Brophy

Commercial Analyst

Saint-Gobain Building Distribution (RoI) Limited t/a PDM

Oldmilltown, Kill, Co. Kildare W91 FY96

Tel: +353 (0) 45 877 165

Fax: +353 (0) 45 877 467

<http://www.pdm.ie>

***Medite Smartply, Michael McGrath***

***To whom it may concern***

***I Michael McGrath, wish to make the following submission regarding the recently drafted amendments to the Agricultural Appeals Act 2001.***

***I wish to state that I fully support these amendments which need to be implemented urgently and in full.***

***I am making this submission as I work in the forestry sector and understand how important these amendments are to align the forestry licencing and appeals processes with similar planning processes and to improve the overall efficiency of this system.***

***I can be contacted on this email or 051 851233***

***Regards,***

***Michael McGrath***

Michael McGrath | Senior Management Accountant



Redmondstown, Clonmel, Co. Tipperary, Ireland | E91 V584

## **ECC Timber Products, Nigel Fahy**

To whom it may concern,

See my submission below in relation to the Agricultural Appeals (Amendment) Bill to which I strongly support.

I am a Director at ECC Timber Products, Cornamona, Co. Galway.

We are proud to provide employment to approx. 370 people particularly in the west of Rural Ireland.

### **Forestry in Ireland**

Couple of facts on Forestry in Ireland:

- Forestry is a rapidly growing industry in Ireland.
- It has a huge role in Ireland's obligations to mitigate climate change and provides valuable habitats for biodiversity and nature, along with important ecosystem services such as water quality and flood protection.
- Forestry can also meaningfully improve farm income and farm value.
- Forestry provides rural jobs, contributes to climate action, facilitates tourism and recreation, and produces technologically advanced timber and biofuel products. The forestry industry is managed to the highest European standards.
- An annual contribution of approx. €2.3 billion due in no small part to the retention of 12,000 jobs. ECC is proud to continue increasing our workforce as our company grows here in the west of Ireland.
- Over the next 10-15 years, the Forestry Industry is expected to double in size.

In summary, the Forestry Industry will play an important role across so many of the objectives laid out in the Programme for Government. The Forestry sector has huge potential to grow sustainable local and green jobs.

### **Current Licencing Crisis**

It is no secret that the Forestry industry has a major problem with the current licencing issue. The introduction of new forestry licencing procedures in 2019, the processing and issuing of forestry licences have been severely impacted. The current system is totally out of control and needs major surgery.

There is serious disruption across the entire forestry sector.

- Felling license approvals at a rate of 20% of the required rate.
- The industry is being starved of the necessary timber supplies.
- The severity of the impact is getting closer and closer to reaching its potential, both financially and with respect to jobs as sawmills will run out of timber within months unless the current impasse is resolved.

The Forestry Appeals Committee (FAC) is playing a vital role in the current licencing problems.

- Over 400 outstanding projects appealed but not yet processed. This is inexcusable.
  - These appeals impact planting, felling and road building.
- Since January 2020, the FAC has only processed an average of circa 25 projects per month.
  - It will take 16 months to clear the backlog at the present rate at which appeals are being processed.
  - This issue is further compounded by the rate of new appeals continuing to grow.
  - The rate of new appeals far surpasses the rate at which they are being processed.

- In one day in early August, it is well known that objectors stalled production of 100,000 cubic metres of timber - **enough timber to build 5,000 homes in one day.**
- It is very important to note that **most appeals that are lodged are by a small handful of individuals** and target forest policy generally rather than any specific project.

I firmly believe that this situation can be fixed but action is needed urgently before the hole gets any bigger where the forestry industry has no other alternative but to cut jobs to survive. This is a position that no one wants.

### Draft legislation

I fully agree with the draft legislation and encourage its implementation with some additional recommendations which I have outlined below:

- National forestry policy: Terms of reference for the FAC should make note of the obligation of the licensing system and the process for appeals to support national forestry policy. The importance of the forestry sector, the employment it supports throughout Ireland and its €2.3 billion contribution to the national economy have been recognised by successive governments.
- Appeals without sufficient ground: The Chairperson of the FAC should be given powers to reject appeals which are without sufficient ground or merit.
- Site specific appeals: Valid grounds for appeal should be further developed to ensure all appeals are related to a specific site and are not used as a mechanism to object to national forest policy.
- Appeals determination and precedence: The Chairperson of the FAC should establish a firm precedent from existing decisions; this would avoid a situation of hearing repeated appeals that are generic and raise no new issues. If an appeal is upheld or rejected, the FAC should be able to examine its backlog of existing appeals (and new appeals) and summarily issue the same decision on appeals of exactly the same type and same pertinent factors.
- Lodging of appeals: The Minister should establish more rigorous requirements with regard to an application to appeal; that is to say that an appeal should have grounds that relate to an individual licence rather than a group of licences. Evidence for specific appeals should be provided when lodging the appeal and the appellant should be required to state their specific interest in the licence that they are appealing.

In conclusion, the current licencing process is not fit for purpose. The very fact that an entire Industry is potentially being grinded to a halt due to the inadequacies of a system says it all. The new legislation if delivered correctly has the power to fix the current crisis we find ourselves in. ECC delivers jobs to over 370 people in a rural part of Co. Galway. The situation is very simple, urgent action is required to fix the current pitfalls that are currently in place within the licencing process.

Regards,  
Nigel Fahy

*Director*

**ECC Timber Products, Corr na mona, Co. Galway, Ireland.**

IRL: 094 9548255 UK: 0845 3990919 W: [www.ecc.ie](http://www.ecc.ie) E: [nigelfahy@ecc.ie](mailto:nigelfahy@ecc.ie)



**Chadwicks Group, Peter Lynch**

Good afternoon,

I support the legislation & the following reasons are why I support the Draft.

1. Peoples livelihoods depend on this & I support the forestry industry because I sell timber for a builders merchant.
2. There are long delays to licences caused by the FAC.
3. The FAC cannot cope with the workload
4. This is hindering forestry activity & damaging the forest industry
5. It is vital that the FAC is reformed to make it fit for purpose.

We need this legislation passed to save jobs & the industry.

Thanks & Regards

**Peter Lynch | Category Manager**  
Chadwicks Group

## **ECC Timber Products, Kevin O'Donnell**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.  
I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,

**Kevin o donnell**

**IRL:** 094 9548255 **UK:** 0845 3990919



**Balcas Timber, Niall Amos**

I support the Forestry Bill

People's livelihoods are at stake here.  
Niall

**Niall Amos**

Produce Facilitator

**Balcas Energy, Conor McGoldrick**

I support the Forestry Bill 2020

This is hindering forestry activity and damaging the industry. Meaning people's livelihoods are at stake here.

Conor Mc Goldrick

**Conor McGoldrick**

Scheduling Team

**GP Wood, Donal O'Callaghan**

Dear Sir /Madame,

As an employee of a timber processing facility in Ireland I am very concerned with the current state of the forestry industry due to the long delays in processing licences caused by the FAC.

Ours is a family business that employs hundreds of highly skilled workers in the Mid / West Cork region. This business has been here since 1977 and is now under serious threat due to issues that have befallen us as a result of delays in dealing with licence appeals in the FAC.

It is clear that the FAC cannot cope with the workload in relation to processing applications and dealing with appeals, this fact is now having a very real and detrimental effect on our industry.

Thousands of jobs are at risk.

It is absolutely vital now that the FAC is reformed in order to make it fit for purpose and I fully support the changes.

Yours Faithfully,

Donal O' Callaghan

Director

GP Wood.

**Heiton Buckley, Caroline Mahon**

Dear Sir / Madam,

I Caroline Mahon fully support the Draft Agricultural Appeals ( Ammendment ) Bill 2020. We stock only home grown timber and supply to house builders and the RMI market all over the Midlands. We need sawmills to be in a position to supply us with a constant supply of timber for our customers. Our business will be will be severely impacted if the current situation in the Forestry Appeals Committee are not addressed. If this is not resolved and sawmills cannot supply us, it will impact our ability to supply timber to very important construction and infrastructural projects.

- There are long delays to licences caused by the Forestry Appeals Commission
- The FAC cannot cope with the workload
- This is hindering forestry activity and damaging the industry
- It is vital that the FAC is reformed to make it fit for purpose
- I fully support the proposed changes
- People livelihoods are at stake here.

Caroline Mahon

**Caroline Mahon | Credit Control**  
Heiton Buckley

**Pat Rynn Engineering Galway, David Flaherty**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.

I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,

David Flaherty

Pat Rynn Engineering Galway

26th August 2020

# Draft Agricultural Appeals (Amendment) Bill 2020

## SUBMISSION TO PUBLIC CONSULTATION

SUBMISSION MADE TO: [FORESTRYBILL2020@AGRICULTURE.GOV.IE](mailto:FORESTRYBILL2020@AGRICULTURE.GOV.IE)

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SUBMISSION FROM

WORRELL HARVESTING LTD

KILLENURE BALLYBRITTAS PORTLAOISE CO. LAOISE

LANDLINE 045 529574

MOBILE 087 2599372

[INFO@WORRELLHARVESTING.IE](mailto:INFO@WORRELLHARVESTING.IE)

[KENNETH@WORRELLHARVESTING.IE](mailto:KENNETH@WORRELLHARVESTING.IE)

## 1. Managed Forestry in Ireland

Managed forestry is a fast growing, green industry which provides rural jobs, contributes to climate action, facilitates tourism and recreation and produces technologically advanced timber and biofuel products. The industry, which is managed to the highest European standards, makes a €2.3 billion contribution to the Irish economy and supports 12,000 jobs. Worrell Harvesting is proud to be delivering and growing quality jobs, especially in our rural communities. By 2035, it is expected that the sector will double in size. We provide 30 directly and another 40 indirectly making a significant contribution to both direct and indirect employment and the local economy.

Forestry has the potential to significantly contribute to Ireland's obligations to mitigate climate change and provides valuable habitats for biodiversity and nature, along with important ecosystem services such as water quality and flood protection. Forestry can also meaningfully improve farm income and farm value.

The formation of a new government, together with an important and ambitious Programme for Government, *Our Shared Future*, paves the way for policy formation, legislation and change. We will always seek to engage positively with Government into the future and we note in particular that forestry can play an important role across so many of the objectives laid out in the Programme for Government.

This is a shovel ready sector, with real potential to grow sustainable local and green jobs.

## 2. Current crisis

At present, the forestry industry is at crisis point.

Since the introduction of new forestry licensing procedures in 2019, the processing and issuing of forestry licences have been seriously impacted. The current system is not fit for purpose and the ability to operate and plan is being impeded by administrative inadequacies and procedural barriers, which exist nowhere else in Europe.

There has been widespread disruption across the forestry sector. Currently, felling license approvals are only at 20% of the required rate; consequently, the industry is being starved of the necessary timber supplies. The potential impact is severe, both financially and with respect to jobs as sawmills will run out of timber within months unless the current impasse is resolved. The severity of the situation is underscored even further when the impact of Covid-19 is considered as unemployment soars nationally and the numbers on the Live Register remain high here in Laoise and Offaly

Another central part of the licensing process, the Forestry Appeals Committee (FAC) has caused significant difficulties. At present, there are approximately over 400 outstanding projects appealed but not yet processed – these appeals impact planting, felling and road building. Since the start of the year, the FAC has only processed an average of circa 25 projects per month. At the present rate at which appeals are being processed, it will take 16 months to clear the backlog. However, the rate of new appeals continues to grow and is actually far greater than the rate at which they are being processed - leading to an ever increasing backlog. In one day in early August, objectors stalled production of 100,000 cubic metres of timber - enough timber to build 5,000 homes. It is also worth noting that the vast majority of appeals are lodged by a small handful of individuals and target forest policy generally rather than any specific project.

We believe that these issues can be addressed, and solutions identified but action must be taken now before more jobs are lost rather than created and the true potential of the industry is undermined.

### 3. Comments regarding the draft legislation

Worrell Harvesting Ltd welcomes the draft legislation and encourages its implementation with additional elements. Outlined below is the views of Worrell Harvesting Ltd with respect to specific parts of the draft legislation alongside some additional recommendations.

- **Head 3:**

- **Annual Report:** The proposal regarding the introduction of a yearly report is welcome. A key focus of the report should be on how the FAC performs with respect to the timely delivery of decisions on appeals. Sufficient resources should be put in place to ensure that FAC decisions are delivered within 60 days of appeals being lodged.

- **Head 4:**

- **Chairperson:** The introduction of a Deputy Chairperson is welcome; this would negate current difficulties where the Chairperson must be a participant in every appeal.
- **FAC Divisions:** I welcome the proposal to allow the FAC to meet in divisions and recommend that a division of the FAC should be able to operate without one of the Chairpersons and be comprised of FAC board members only.
- **Quorum:** A quorum for a committee should be 2 rather than 3, as this is appropriate to the level of complexity of forestry projects and it will allow the statutory timeframe of 2 months to be met.
- **Criteria for FAC Membership:** The FAC will be able to fully utilise the resources at its disposal by the removal of the requirement for a member of the FAC to be of a specified grade – this is a welcome proposal.
- **Resources:** The FAC must be adequately resourced and have the appropriate manpower to clear the backlog and reach a point where all appeals are decided upon within 60 days of an appeal being lodged.
- **Timeframe for Appeals:** As noted above, a decision on all appeals should be issued within 60 days of an appeal being lodged – a statutory timeframe should be put in place for dealing with appeals; an approach already adopted for some housing developments. This additional amendment is of fundamental importance to improving the effectiveness of the forestry appeals legislation.

- **Head 5**

- **Payment of fees:** The proposal regarding an introduction of a fee for appeals is welcome and a key step to ensure the FAC is adequately resourced and brings the process in line with other planning requirements.
- **Oral Hearings:** Worrell Harvesting Ltd supports the proposal regarding the power of the Chairperson(s) to determine whether an oral hearing is required to determine an appeal. The holding of oral hearings has created long and unnecessary delays.
- **Ministerial Powers:** The proposal for the relevant Minister to retain the stated powers to issue Directives and formulate regulations for the FAC is welcome.

- **Additional Measures to those contained in the draft legislation:**

- **National forestry policy:** Terms of reference for the FAC should make note of the obligation of the licensing system and the process for appeals to support national forestry policy. The importance of the forestry sector, the employment it supports throughout Ireland and its €2.3 billion contribution to the national economy have been recognised by successive governments.
- **Appeals without sufficient ground:** The Chairperson of the FAC should be given powers to reject appeals which are without sufficient ground or merit.
- **Site specific appeals:** Valid grounds for appeal should be further developed to ensure all appeals are related to a specific site and are not used as a mechanism to object to national forest policy.
- **Appeals determination and precedence:** The Chairperson of the FAC should establish a firm precedent from existing decisions; this would avoid a situation of hearing repeated appeals that are generic and raise no new issues. If an appeal is upheld or rejected, the FAC should be able to examine its backlog of existing appeals (and new appeals) and summarily issue the same decision on appeals of exactly the same type and same pertinent factors.
- **Lodging of appeals:** The Minister should establish more rigorous requirements with regard to an application to appeal; that is to say that an appeal should have grounds that relate to an individual licence rather than a group of licences. Evidence for specific appeals should be provided when lodging the appeal and the appellant should be required to state their specific interest in the licence that they are appealing.

## 4. Conclusion

**Worrell Harvesting Ltd** is a major supplier of Biomass in the country and myself Kenneth Worrell the Managing Director feels there is enough biomass on this island to fuel big energy users. Over 3 million tonnes of biomass could be made available to big energy users from the brash and residue that is left to rot in our forest. No company will invest in a big Biomass boiler if they do not have the confidence that the fuel will be there. Therefore, it's very important that if we as a country and a nation want to use less fossil fuel and more green fuel that we stop putting Obstacles in the way as in the felling licences issues. If we want a greener environment, stop discouraging the farmer to plant trees and the energy user to use carbon neutral fuel.

Worrell Harvesting Ltd

Manager Director

Kenneth Worrell

Mobile 087 2599372

Email [kenneth@worrellharvesting.ie](mailto:kenneth@worrellharvesting.ie)

See how green energy can be achieved from our many Videos on You Tube ([Worrell Harvesting](#))

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**Balcas Timber, Nigel Manley**

To whom it concerns,

I wish to express my support for the Forestry Bill 2020. I live in Fermanagh and my livelihood is through employment with Balcas Timber Ltd. I'm deeply concerned that I'm going to lose my job, I have a family of 5 to support.

I understand these amendments and how important they are, if the forestry licensing and appeals process is to efficient and fit for purpose.

- There are long delays to licences caused by the FAC
- The FAC cannot cope with the workload
- This is hindering forestry activity and damaging the industry
- It is vital that the FAC is reformed to make it fit for purpose
- I support the proposed changes
- Peoples livelihoods are at stake here.

Yours sincerely,

Nigel Manley

**Nigel Manley**

Group Supply Manager

27 August 2020

# **Agricultural Appeals (Amendment) Bill 2020**

## **SUBMISSION TO PUBLIC CONSULTATION**

SUBMISSION MADE TO: [FORESTRYBILL2020@AGRICULTURE.GOV.IE](mailto:FORESTRYBILL2020@AGRICULTURE.GOV.IE)

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**SUBMISSION FROM WORRELL HARVESTING LTD  
KILLENURE, BALLYBRITTAS, PORTLAOISE, LAOIS R32VX74  
PHONE 045529574    FAX 045529575  
EMAIL [OPERATIONS@WORRELLHARVESTING.IE](mailto:OPERATIONS@WORRELLHARVESTING.IE)**

## 1. Managed Forestry in Ireland

Managed forestry is a fast growing, green industry which provides rural jobs, contributes to climate action, facilitates tourism and recreation and produces technologically advanced timber and biofuel products. The industry, which is managed to the highest European standards, makes a €2.3 billion contribution to the Irish economy and supports 12,000 jobs. Worrell harvesting is proud to be delivering and growing quality jobs, especially in our rural communities. By 2035, it is expected that the sector will double in size. We provide work all over Ireland making a significant contribution to both direct and indirect employment and the local economy which is especially appreciated in these current times.

Forestry has the potential to significantly contribute to Ireland's obligations to mitigate climate change and provides valuable habitats for biodiversity and nature, along with important ecosystem services such as water quality and flood protection. Forestry can also meaningfully improve farm income and farm value.

The formation of a new government, together with an important and ambitious Programme for Government, *Our Shared Future*, paves the way for policy formation, legislation and change. We will always seek to engage positively with Government into the future and we note in particular that forestry can play an important role across so many of the objectives laid out in the Programme for Government.

This is a shovel ready sector, with real potential to grow sustainable, local and green jobs.

## 2. Current crisis

At present, the forestry industry is at crisis point due to the problem with obtaining licences and permits.

Since the introduction of new forestry licensing procedures in 2019, the processing and issuing of forestry licences have been seriously impacted. The current system is not fit for purpose and the ability to operate and plan is being impeded by administrative inadequacies and procedural barriers, which exist nowhere else in Europe.

There has been widespread disruption across the forestry sector. Currently, felling license approvals are only at 20% of the required rate; consequently, the industry is being starved of the necessary timber supplies. The potential impact is severe, both financially and with respect to jobs as sawmills will run out of timber within months unless the current impasse is resolved. The severity of the situation is underscored even further when the impact of Covid-19 is considered as unemployment soars nationally and the numbers on the Live Register remain high here in Laois.

Another central part of the licensing process, the Forestry Appeals Committee (FAC) has caused significant difficulties. At present, there are approximately over 400 outstanding projects appealed but not yet processed – these appeals impact planting, felling and road building. Since the start of the year, the FAC has only processed an average of circa 25 projects per month. At the present rate at which appeals are being processed, it will take 16 months to clear the backlog. However, the rate of new appeals continues to grow and is actually far greater than the rate at which they are being processed - leading to an ever-increasing backlog. In one day in early August, objectors stalled production of 100,000 cubic metres of timber - enough timber to build 5,000 homes. It is also worth noting that the majority of appeals are lodged by a small handful of individuals and target forest policy generally rather than any specific project.

We believe that these issues can be addressed, and solutions identified but action must be taken now before more jobs are lost rather than created and the true potential of the industry is undermined.

### 3. Comments regarding the draft legislation

Worrell Harvesting welcomes the draft legislation and encourages its implementation with additional elements. Outlined below is the views of Worrell Harvesting with respect to specific parts of the draft legislation alongside some additional recommendations.

- **Head 3:**

- **Annual Report:** The proposal regarding the introduction of a yearly report is welcome. A key focus of the report should be on how the FAC performs with respect to the timely delivery of decisions on appeals. Sufficient resources should be put in place to ensure that FAC decisions are delivered within 60 days of appeals being lodged.

- **Head 4:**

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- **Resources:** The FAC must be adequately resourced and have the appropriate manpower to clear the backlog and reach a point where all appeals are decided upon within 60 days of an appeal being lodged.
- **Timeframe for Appeals:** As noted above, a decision on all appeals should be issued within 60 days of an appeal being lodged – a statutory timeframe should be put in place for dealing with appeals; an approach already adopted for some housing developments. This additional amendment is of fundamental importance to improving the effectiveness of the forestry appeals legislation.

- **Head 5**

- **Payment of fees:** The proposal regarding an introduction of a fee for appeals is welcome and a key step to ensure the FAC is adequately resourced and brings the process in line with other planning requirements.
- **Oral Hearings:** Worrell Harvesting supports the proposal regarding the power of the Chairperson(s) to determine whether an oral hearing is required to determine an appeal. The holding of oral hearings has created long and unnecessary delays.
- **Ministerial Powers:** The proposal for the relevant Minister to retain the stated powers to issue Directives and formulate regulations for the FAC is welcome.

- **Additional Measures to those contained in the draft legislation:**

- **National forestry policy:** Terms of reference for the FAC should make note of the obligation of the licensing system and the process for appeals to support national forestry policy. The importance of the forestry sector, the employment it supports throughout Ireland and its €2.3 billion contribution to the national economy have been recognised by successive governments.
- **Appeals without sufficient ground:** The Chairperson of the FAC should be given powers to reject appeals which are without sufficient ground or merit.
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- **Lodging of appeals:** The Minister should establish more rigorous requirements with regard to an application to appeal; that is to say that an appeal should have grounds that relate to an individual licence rather than a group of licences. Evidence for specific appeals should be provided when lodging the appeal and the appellant should be required to state their specific interest in the licence that they are appealing.

## **4. Conclusion**

We at Worrell Harvesting believe that the ever-growing forest industry will be severely impacted if the proposed changes to this bill are not implemented. Unemployment rates will soar nationally and our small economy will struggle to cope by the lack of contribution from the forest industry especially in this time of international crisis due to Covid-19. We should not be obstructed from working by administrative barriers that are non-existent in the rest of Europe. A reformation of the FAC will pave the way in having more efficient procedures for processing licences and appeals. Without this sector, Ireland will no longer hold the capabilities to improve its biodiversity and ecosystems while also doing its part to contribute to the Climate crisis we are also facing by producing biofuels like biomass. We need to see change, now.

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**Balcas Energy, Paul Kitson**

I support the Forestry Bill

People's livelihoods are at stake here.  
Paul Kitson

**Paul Kitson**

Logistics & Operations Manager GB

**Balcas Timber, Milly McDowell**

To whom it concerns,

I wish to express my support for the Forestry Bill 2020. As a person who makes their living from the forestry industry, it is vital that this bill succeeds. I live and work in [REDACTED]. I spend my money locally and this helps to keep the local community going.

The facts are that,

- There are long delays to licences caused by the FAC
- The FAC cannot cope with the workload
- This is hindering forestry activity and damaging the industry
- It is vital that the FAC is reformed to make it fit for purpose
- I support the proposed changes
- Peoples livelihoods are at stake here.

Because of the above these amendment must happen. Our industry is in crisis.

Yours sincerely,

Milly McDowell

**Milly McDowell**

Forester

**CHP Mechanical Services, Roddy McAteer**

To whom it may concern,

On behalf of CHP Mechanical Services Ltd and it's director Mr John Smyth, I wish to lodge our full support for the recently drafted amendments to the Agricultural Appeals Act 2001.

These amendments are critical to protect jobs in the forestry sector and related industries, in the short, medium and long term. They are also critical to ensure the afforestation programme can proceed with adequate conversion of land into forestry to meet our future requirements in terms of supply of raw materials, in terms of carbon capture, in terms of supply of renewable fuels & electricity using biomass, and in terms of increased forest cover in Ireland.

I am making this submission as our company heavily relies on this sector and fully appreciate how important these amendments are in aligning the forestry licencing and appeals processes with similar planning processes, as well as improving the overall efficiency of this system.

(IrBEA Member & Business)

**Kind regards**

**Roddy McAteer**

**Business Development Manager**

**MJG Timber, Martin J. Gillingham**

I fully support this bill for the following compelling reasons:

- Peoples livelihood depends on this, I support the forest industry
- There are long delays to licences caused by the FAC
- The FAC cannot cope with the workload
- This is hindering forestry activity and damaging the forest industry
- It is vital that the FAC is reformed to make it fit for purpose

We need this legislation passed to save our jobs and this industry.

Best regards

**Draft Agriculture Appeals (Amendment) Bill 2020 – Public Consultation**  
**Submission by the Society of Irish Foresters**  
**27 August 2020**

This submission is made on behalf of the Society of Irish Forester which represents 760 members comprising professional foresters, third level forestry students and associate members working in forest management and related sectors including ecology, timber processing, research and academia.

The submission includes:

- Background on the Society of Irish Foresters
- Forestry in Ireland
- Barriers to wood mobilisation and planting
- The need for a cohesive approach to planning and licences
- Comments on Heads of the Draft Agriculture Appeals (Amendment) Bill.
- Conclusion

### **SOCIETY OF IRISH FORESTERS**

The Society of Irish Foresters is an all-island organisation, founded in September 1942. Its main aims are to spread knowledge of forestry and to improve professional standards in the Irish forestry industry. To that end the Society publishes an annual scientific journal and a twice yearly newsletter, organises field days, public lectures, national forestry conferences, international study tours and produces policy position papers on forest policy, research and education.

The Society is committed to sustainable development of the Irish forestry industry especially the continued development of rural areas. We are dedicated to the provision of renewable resources, the protection of local and global environment, the integrity of global carbon and hydrological cycles and the conservation of biological diversity

The Society's Continuous Professional Development (CDP) programme provides an opportunity for members to engage in the lifelong acquisition of knowledge and skills. The Society currently has 760 members, most of whom are professional foresters who work across the whole spectrum of Irish forestry. Membership categories are: Technical, Retired Technical, Associate, Student and Honorary.

### **FORESTRY IN IRELAND**

The Irish forest estate comprises 770,000 hectares divided almost equally between the State – mainly Coillte – and private forest owners – mainly farmers. Forestry has a considerable impact on the lives of rural communities in Ireland where most of the 12,000 jobs are based and where 23,256 (mainly farmer-forest owners) enjoy the wood and non-wood benefits that these forests provide. The annual economic contribution of the forestry and forest products sector is now estimated at €2.3 billion.

Irish forestry is young but because of our excellent growth rates, most private forests planted since the late 1980s are either at the production stage or already well advanced in producing timber, most of which is processed by family owned sawmills or State owned panel board mills. These require continuity of supply of raw material to supply their customers with a regular flow of sawn wood, fencing products, packaging (pallets) panel board products such as MDF and OSB along with wood energy residue products including wood chips and pellets.

## **BARRIERS TO WOOD MOBILISATION AND PLANTING**

These markets are now seriously disrupted due to repeated appeals against licences for forest roads, thinnings and final harvest. Contractors and timber processors face shortages of timber which is leading to mill closures, short time and unemployment.

These appeals are also severely damaging the afforestation programme resulting in forest nurseries having to destroy surplus plants while forestry companies and farmers who wish to plant are being deprived of a livelihood due to a shortfall of planting licences. The annual afforestation programme dropped to an estimated 2,500 hectares this year, while the national planting target is 8,000 hectares.

This is due mainly to repeated serial appeals that have overwhelmed the Forestry Appeals Committee (FAC). There is currently a backlog of almost 400 appeals with the FAC adjudicating on an average of only 20 every month while 50 appeals are being added to the backlog.

While appeals have been made since 2017, these have accelerated greatly since early 2019. These have slowed down afforestation licences but serious disruption was caused to harvesting and wood mobilisation. Recent reports by Forest Industries Ireland (FII) suggest "the current level of felling licence approvals is only 25% of the rate required by the industry".

Licences issued by the Forest Service are required for planting, roading and felling which the Forest Service in the Department of Agriculture, Food and the Marine is unable to deliver in time with licences taking up to two years to deliver. When these are appealed, they may be with the FAC for a further six months to two years at the current rate of adjudication.

## **THE NEED FOR A COHESIVE APPROACH TO PLANNING AND LICENCES**

The Society accepts that licences are required for afforestation and that these must conform with the Forest Service's *Code of Best Forest Practice – Ireland*. The Society also accepts the right of the public to appeal licences *where real concerns are voiced about the impact that afforestation may have on the life of the appellant*. The quality and quantity of appeals suggests that there is a lack of objectivity in appeals submitted, *which is why the Society welcomes the proposed amendment*. Currently 80% of all appeals (throughout the entire country) have the names of two appellants attached, which clearly suggest that the current licencing appeals are not community based. Thus the Act has to be amended as it is not fit for purpose and is being widely abused.

The proposed amendment will allow appellants to object or comment on a proposed forestry project which is fair on all concerned. However, the proposed amendments need to proceed in tandem with the provision of greater resources to the FAC to ensure that it can adjudicate appeals in a timely fashion.

## **COMMENTS ON HEADS 3, 4 AND 5 OF THE DRAFT**

### **Head 3: Amendment of Section 14 of Principal Act**

The Society supports this amendment and its sections. In particular, we welcome the regular issuing of reports by the chairperson of the FAC to the Minister on the activities of the Committee. This report should contain a request for increased resources if required by the Chairperson.

#### **Head 4: Amendment of Section 14A of Principal Act**

The Society fully supports this amendment as it ensures continuity in delivering hearings.

We would suggest that in the event of long queues of appeals, as is the case at present, that both the chairperson and deputy chairperson or appointed ordinary member of the FAC would hear appeals.

#### **Head 5: Power to charge or recover fees**

The Society fully supports the introduction of "such fees as [the Minister] may prescribe for an appeal under section 14A(4) and different fees may be charged for different classes of such appeal" along with the other amendments.

#### **Conduct of Appeals**

In relation to the conduct of an appeal, the Society supports this but would add "or Deputy Chairperson" under T14C.—(1) to read: Where the Chairperson or Deputy Chairperson of the Forestry Appeals Committee is of the opinion that the case is of such a nature that it can properly be determined without an oral hearing, the Forestry Appeals Committee may determine the appeal summarily.

#### **CONCLUSION**

The Society of Irish Foresters after careful consideration and consultation with its broad membership fully supports the amendment to the Agriculture Appeals Act, 2001 to align the forestry licencing and appeals processes with similar planning processes. It also asks that this be enacted as soon as possible to alleviate the current crisis that exists in the forestry and forest products sector.

Pat O'Sullivan  
Technical Director  
Society of Irish Foresters  
Glenealy  
Co. Wicklow

*Medite Smartply, Sarah Walsh*

*To whom it may concern*

*I Sarah Walsh, wish to make the following submission regarding the recently drafted amendments to the Agricultural Appeals Act 2001.*

*I wish to state that I fully support these amendments which need to be implemented urgently and in full.*

*I am making this submission as I work in the forestry sector and understand how important these amendments are to align the forestry licencing and appeals processes with similar planning processes and to improve the overall efficiency of this system.*

*Regards,*

*Sarah Walsh*

Sarah Walsh | Sales Planning & Analysis Accountant



Belview, Slieverue, via Waterford, Ireland

Tel: +353 (0) 51 851233

Fax: +353 (0) 51 851130

Web: [www.mdfosb.com](http://www.mdfosb.com)

**Telfords Portlaoise, Liam McEvoy**

I, Liam McEvoy, Managing Director of Telfords Portlaoise Ltd wish to make the following submission regarding the recently drafted amendments to the Agricultural Appeals Act 2001.

I fully support implementation of these amendments.

- . Peoples livelihood depends on this.
- . It is of the utmost importance that the FAC is reformed to make it fit for purpose.
- . We need this legislation passed to retain and save employment in this industry and other associated industries.

Yours faithfully,

Mr. Liam McEvoy,  
Managing Director,  
Telfords Portlaoise Ltd.

**Worrell Harvesting Ltd., Ava Worrell**

Hi,

I wish to lodge my full support for the recently drafted amendments to the Agricultural Appeals Act 2001.

These amendments are critical to protect jobs in the forestry sector and related industries, in the short, medium and long term. They are also critical to ensure the afforestation programme can proceed with adequate conversion of land into forestry to meet our future requirements in terms of supply of raw materials, in terms of carbon capture, in terms of supply of renewable fuels & electricity using biomass, and in terms of increased forest cover in Ireland.

I am making this submission as I work in the forestry sector and fully appreciate how important these amendments are in aligning the forestry licencing and appeals processes with similar planning processes, as well as improving the overall efficiency of this system. These changes must be made urgently.

Regards

**Ava Worrell**

Worrell Harvesting Ltd

**Balcas Energy, Gary Duckworth**

Peoples livelihoods are at stake here.

Gary Duckworth.

**Green Belt Ltd., John O'Reilly**

To Whom it may concern,

I support the amendment to the Forestry appeals act.

It requires amendment because the current legislation is not being used correctly nor fairly.

Kind Regards,  
John O'Reilly  
C.E.O.  
Green Belt Ltd

**ECC, Christy Walsh**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.

I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,

Christy Walsh  
*Production Manager*

**ECC Timber Products**

27<sup>th</sup> August 2020

# Draft Agricultural Appeals (Amendment) Bill 2020

## SUBMISSION TO PUBLIC CONSULTATION

SUBMISSION MADE TO: [FORESTRYBILL2020@AGRICULTURE.GOV.IE](mailto:FORESTRYBILL2020@AGRICULTURE.GOV.IE)

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### SUBMISSION FROM:

**ROUNDWOOD TIMBER LTD**

**MONEYSTOWN**

**ROUNDWOOD**

**CO WICKLOW**

**087-2545215 / 040445346**

**INFO@ROUNDWOODTIMBER.IE**

## 1. Managed Forestry in Ireland

Ireland's managed forestry has the potential to impact on multiple areas including climate action, tourism, and recreation while also providing much needed employment in rural Ireland. Ireland has one of the most suitable climates in Europe for fast-growing, quality timber. This industry currently contributes €2.3billion to the Irish economy, supports over 12,000 jobs and has the potential to grow substantially. 760 people are currently employed both directly and indirectly within the forest industry in County Wicklow alone and it is anticipated that this figure will double by 2035. Roundwood Timber Ltd is a family owned forestry company located in the heart of Wicklow. We have been in operation for nearly 30 years and at present we directly employ 18 staff and 10 subcontractors.

Forestry has the potential to significantly contribute to Ireland's obligations to combat climate change and provides valuable habitats for biodiversity and nature, along with important ecosystem services such as water quality and flood protection. Managed forestry also offers the possibility to landowners to have an alternative and improved income while also adding value to their land.

The formation of a new government, together with an important and ambitious Programme for Government, *Our Shared Future*, paves the way for policy formation, legislation and change. We will always seek to engage positively with Government into the future and we note that forestry can play an important role across so many of the objectives laid out in the Programme for Government.

## 2. Current crisis

In Roundwood Timber Ltd's 30 years in operation we have never seen the industry in such disarray. Roundwood Timber Ltd has always worked directly with industry leaders to seek the best possible outcome for the industry. The current licensing issue, which has deteriorated significantly over time, has now reached crisis point.

Since the introduction of new forestry licensing procedures in 2019, the processing and issuing of forestry licences have been seriously impacted. This inadequate system impedes on the ability to plan and operate effectively. A worrying trend is that only 20% of required licencing to keep the industry going is being approved. This will impact severely on both the harvesting and haulage industry and will bring the production in the sawmills to a halt unless the present situation is resolved.

Another central part of the licensing process, the Forestry Appeals Committee (FAC) has caused significant difficulties. At the present rate at which appeals are being processed it will 16-months to clear the backlog. What is more alarming is that more appeals are being lodged each month than are being processed, thus creating a never-ending backlog. While we believe that these issues can be resolved, action must be taken immediately before this industry is decimated completely.

Already, Roundwood Timber Ltd has taken the decision to move part of our operations to the UK and we are currently in negotiations with another company to move further operations. In what are already extremely challenging times, the loss of a thriving industry will be extremely detrimental to the rural economy.

### 3. Comments regarding the draft legislation

Roundwood Timber Ltd welcomes the draft legislation and encourages its implementation with additional elements. Outlined below is the views of Roundwood Timber Ltd with respect to specific aspects of the draft legislation alongside some additional recommendations.

- **Head 3:**

- **Annual Report:** The proposal regarding the introduction of a yearly report is welcome. A key focus of the report should be on how the FAC performs with respect to the timely delivery of decisions on appeals. Sufficient resources should be put in place to ensure that FAC decisions are delivered within 60 days of appeals being lodged.

- **Head 4:**

- **Chairperson:** The introduction of a Deputy Chairperson is welcome; this would negate current difficulties where the Chairperson must be a participant in every appeal.
- **FAC Divisions:** We welcome the proposal to allow the FAC to meet in divisions and recommend that a division of the FAC should be able to operate without one of the Chairpersons and be comprised of FAC board members only.
- **Quorum:** A quorum for a committee should be 2 rather than 3, as this is appropriate to the level of complexity of forestry projects and it will allow the statutory timeframe of 2 months to be met.
- **Criteria for FAC Membership:** The FAC will be able to fully utilise the resources at its disposal by the removal of the requirement for a member of the FAC to be of a specified grade – this is a welcome proposal.
- **Resources:** The FAC must be adequately resourced and have the appropriate manpower to clear the backlog and reach a point where all appeals are decided upon within 60 days of an appeal being lodged.
- **Timeframe for Appeals:** As noted above, a decision on all appeals should be issued within 60 days of an appeal being lodged – a statutory timeframe should be put in place for dealing with appeals; an approach already adopted for some housing developments. This additional amendment is of fundamental importance to improving the effectiveness of the forestry appeals legislation.

- **Head 5**

- **Payment of fees:** The proposal regarding an introduction of a fee for appeals is welcome and a key step to ensure the FAC is adequately resourced and brings the process in line with other planning requirements.
- **Oral Hearings:** Roundwood Timber Ltd supports the proposal regarding the power of the Chairperson(s) to determine whether an oral hearing is required to determine an appeal. The holding of oral hearings has created long and unnecessary delays.
- **Ministerial Powers:** The proposal for the relevant Minister to retain the stated powers to issue Directives and formulate regulations for the FAC is welcome.

- **Additional Measures to those contained in the draft legislation:**

- **National forestry policy:** Terms of reference for the FAC should make note of the obligation of the licensing system and the process for appeals to support national forestry policy. The importance of the forestry sector, the employment it supports throughout Ireland and its €2.3 billion contribution to the national economy have been recognised by successive governments.
- **Appeals without sufficient ground:** The Chairperson of the FAC should be given powers to reject appeals which are without sufficient ground or merit.
- **Site specific appeals:** Valid grounds for appeal should be further developed to ensure all appeals are related to a specific site and are not used as a mechanism to object to national forest policy.
- **Appeals determination and precedence:** The Chairperson of the FAC should establish a firm precedent from existing decisions; this would avoid a situation of hearing repeated appeals that are generic and raise no new issues. If an appeal is upheld or rejected, the FAC should be able to examine its backlog of existing appeals (and new appeals) and summarily issue the same decision on appeals of exactly the same type and same pertinent factors.
- **Lodging of appeals:** The Minister should establish more rigorous requirements with regard to an application to appeal; that is to say that an appeal should have grounds that relate to an individual licence rather than a group of licences. Evidence for specific appeals should be provided when lodging the appeal and the appellant should be required to state their specific interest in the licence that they are appealing.

## 4. Conclusion

During our 30 years in operation Roundwood Timber has created rural employment and contributed significantly to the local economy. As a company we have tried to work at the forefront promoting quality work and forest industry. We have been voicing our concerns with regard the felling licence issues for some time and we have become increasingly worried about the current licensing situation. With end in sight for this issue a once bright industry is facing into a dark, uncertain future unless this crisis is resolved.

As noted above, we have recently taken the decision to move part of our operations to the UK. If this crisis is not resolved, we will be reluctantly forced to move our full operations abroad. As the third generation working in forestry, an industry which has provided so much to us and to which we given so much in return, it is with great sadness we witness its potential come to a shuddering halt.

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**Chadwicks Express, Barry Horgan**

I support this legislation.

Peoples livelihoods depend on this, I support the forest industry.

**Barry Horgan,**  
Building Materials,  
Chadwicks Express

**Worrell Harvesting Ltd. , Marzena Morel**

I wish to lodge my full support for the recently drafted amendments to the Agricultural Appeals Act 2001.

These amendments are critical to protect jobs in the forestry sector and related industries, in the short, medium and long term. They are also critical to ensure the afforestation programme can proceed with adequate conversion of land into forestry to meet our future requirements in terms of supply of raw materials, in terms of carbon capture, in terms of supply of renewable fuels & electricity using biomass, and in terms of increased forest cover in Ireland.

I am making this submission as I work in the sector and fully appreciate how important these amendments are in aligning the forestry licencing and appeals processes with similar planning processes, as well as improving the overall efficiency of this system.

**Kind regards,**

**Marzena Morel**

***Worrell Harvesting Ltd***

**None-So-Hardy (Forestry) Ltd. , Graham O'Grady**

To whom it may concern.

I Graham O'Grady am employed by None-So-Hardy (Forestry) Ltd. The forestry industry is at crisis point and putting the future of our nursery and all our jobs at risk.

The current system is not fit for purpose as it does not produce sufficient licences in order for our stock to be used during the limited time of an actual planting season.

**I SUPPORT ALL OF THE PROPOSED LEGISLATION AMENDMENTS**

**Arbor Forest Management Ltd. , Shane Murphy**

Dear Minister Hackett,

Further to the above, I would like to express my **full support** for the Draft Agriculture Appeals (Amendment) Bill 2020.

As you are aware, the forestry industry has reached a crisis point and positive action is required immediately to address the many inefficiencies of the current forestry licensing system, and in particular the forestry appeals process.

The current forestry appeals process has resulted in long delays in the issuing of forestry licences, which in turn, has had a significant detrimental effect on the productivity of the forestry industry both in terms of timber production and job creation/sustainability. It is evident, from the huge backlog of forestry appeals pending determination, that the Forestry Appeals Committee (FAC) cannot process appeals in a timely manner and is therefore not currently fit for purpose. Consequently, it is vital that the FAC is reformed.

Furthermore, the forestry appeals process is not currently aligned with the appeals process in other planning legislation. Although the Draft Agriculture Appeals (Amendment) Bill 2020 appears to go some way towards addressing this inconsistency by introducing the requirement to pay a fee when submitting an appeal, it is argued that it does not bring the forestry appeals process fully in line with other planning appeals processes. In order to do so, it is proposed that a fee should also be required when making a submission or observation as provided for under Section 10(4) of S.I. No. 191/2017 – Forestry Regulations 2017.

As a forester living in Cork working in the Munster region I have availed of the wonderful forestry amenities within the region as well as earning a living from the commercial stands throughout the region.

I strongly believe that the proposed legislation is necessary in order to ensure the future viability of the forestry industry in Ireland. A lot of peoples livelihoods depend on normal levels of activity resuming within the industry.

I thank you for taking the time to consider my submission and would like to once again reiterate my support for the Draft Agriculture Appeals (Amendment) Bill 2020.

Kind regards,

**Shane Murphy,**  
**Arbor Forest Management Ltd.,**

**Topline Bolands, Tony Callanan**

To whom it may concern,

I wish to raise my support for the above mentioned bill. I work at the coalface of the construction supply chain and the reality is we are facing into a disastrous future unless we can get a sustainable supply of carcassing timber. I can't see how we can supply ongoing projects to completion without this issue being resolved. We are in an industry that is struggling to get badly needed housing projects completed and if this situation is to continue this will stall with the loss of jobs throughout the industry.

Regards

Tony Callanan

27th August 2020

# **Agricultural Appeals (Amendment) Bill 2020**

## **SUBMISSION TO PUBLIC CONSULTATION**

SUBMISSION MADE TO: [FORESTRYBILL2020@AGRICULTURE.GOV.IE](mailto:FORESTRYBILL2020@AGRICULTURE.GOV.IE)

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**SUBMISSION FROM M GRACE TIMBER LTD  
WHITESTOWN  
BALTINGLASS  
CO WICKLOW W91 HC64  
045/404488, MGRACETIMBER@GMAIL.COM**

## 1. Managed Forestry in Ireland

Managed forestry is a fast growing, green industry which provides rural jobs, contributes to climate action, facilitates tourism and recreation and produces technologically advanced timber and biofuel products. The industry, which is managed to the highest European standards, makes a €2.3 billion contribution to the Irish economy and supports 12,000 jobs. M Grace Timber Ltd is proud to be delivering and growing quality jobs, especially in our rural communities. By 2035, it is expected that the sector will double in size. We provide 760 jobs in County Wicklow making a significant contribution to both direct and indirect employment and the local economy.

Forestry has the potential to significantly contribute to Ireland's obligations to mitigate climate change and provides valuable habitats for biodiversity and nature, along with important ecosystem services such as water quality and flood protection. Forestry can also meaningfully improve farm income and farm value.

The formation of a new government, together with an important and ambitious Programme for Government, *Our Shared Future*, paves the way for policy formation, legislation and change. We will always seek to engage positively with Government into the future and we note in particular that forestry can play an important role across so many of the objectives laid out in the Programme for Government.

This is a shovel ready sector, with real potential to grow sustainable local and green jobs.

## 2. Current crisis

At present, the forestry industry is at crisis point.

Since the introduction of new forestry licensing procedures in 2019, the processing and issuing of forestry licences have been seriously impacted. The current system is not fit for

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purpose and the ability to operate and plan is being impeded by administrative inadequacies and procedural barriers, which exist nowhere else in Europe.

There has been widespread disruption across the forestry sector. Currently, felling license approvals are only at 20% of the required rate; consequently, the industry is being starved of the necessary timber supplies. The potential impact is severe, both financially and with respect to jobs as sawmills will run out of timber within months unless the current impasse is resolved. The severity of the situation is underscored even further when the impact of Covid-19 is considered as unemployment soars nationally and the numbers on the Live Register remain high here in County Wicklow.

Another central part of the licensing process, the Forestry Appeals Committee (FAC) has caused significant difficulties. At present, there are approximately over 400 outstanding projects appealed but not yet processed – these appeals impact planting, felling and road building. Since the start of the year, the FAC has only processed an average of circa 25 projects per month. At the present rate at which appeals are being processed, it will take 16 months to clear the backlog. However, the rate of new appeals continues to grow and is actually far greater than the rate at which they are being processed - leading to an ever increasing backlog. In one day in early August, objectors stalled production of 100,000 cubic metres of timber - enough timber to build 5,000 homes. It is also worth noting that the vast majority of appeals are lodged by a small handful of individuals and target forest policy generally rather than any specific project.

We believe that these issues can be addressed, and solutions identified but action must be taken now before more jobs are lost rather than created and the true potential of the industry is undermined.

### 3. Comments regarding the draft legislation

M Grace Timber Ltd welcomes the draft legislation and encourages its implementation with additional elements. Outlined below is the views of M Grace Timber Ltd with respect to specific parts of the draft legislation alongside some additional recommendations.

- **Head 3:**

- **Annual Report:** The proposal regarding the introduction of a yearly report is welcome. A key focus of the report should be on how the FAC performs with respect to the timely delivery of decisions on appeals. Sufficient resources should be put in place to ensure that FAC decisions are delivered within 60 days of appeals being lodged.

- **Head 4:**

- **Chairperson:** The introduction of a Deputy Chairperson is welcome; this would negate current difficulties where the Chairperson must be a participant in every appeal.
- **FAC Divisions:** I welcome the proposal to allow the FAC to meet in divisions and recommend that a division of the FAC should be able to operate without one of the Chairpersons and be comprised of FAC board members only.
- **Quorum:** A quorum for a committee should be 2 rather than 3, as this is appropriate to the level of complexity of forestry projects and it will allow the statutory timeframe of 2 months to be met.
- **Criteria for FAC Membership:** The FAC will be able to fully utilise the resources at its disposal by the removal of the requirement for a member of the FAC to be of a specified grade – this is a welcome proposal.
- **Resources:** The FAC must be adequately resourced and have the appropriate manpower to clear the backlog and reach a point where all appeals are decided upon within 60 days of an appeal being lodged.
- **Timeframe for Appeals:** As noted above, a decision on all appeals should be issued within 60 days of an appeal being lodged – a statutory timeframe should be put in place for dealing with appeals; an approach already adopted for some housing developments. This additional amendment is of fundamental importance to improving the effectiveness of the forestry appeals legislation.

- **Head 5**

- **Payment of fees:** The proposal regarding an introduction of a fee for appeals is welcome and a key step to ensure the FAC is adequately resourced and brings the process in line with other planning requirements.
- **Oral Hearings:** M Grace Timber Ltd supports the proposal regarding the power of the Chairperson(s) to determine whether an oral hearing is required to determine an appeal. The holding of oral hearings has created long and unnecessary delays.
- **Ministerial Powers:** The proposal for the relevant Minister to retain the stated powers to issue Directives and formulate regulations for the FAC is welcome.

- **Additional Measures to those contained in the draft legislation:**

- **National forestry policy:** Terms of reference for the FAC should make note of the obligation of the licensing system and the process for appeals to support national forestry policy. The importance of the forestry sector, the employment it supports throughout Ireland and its €2.3 billion contribution to the national economy have been recognised by successive governments.
- **Appeals without sufficient ground:** The Chairperson of the FAC should be given powers to reject appeals which are without sufficient ground or merit.
- **Site specific appeals:** Valid grounds for appeal should be further developed to ensure all appeals are related to a specific site and are not used as a mechanism to object to national forest policy.
- **Appeals determination and precedence:** The Chairperson of the FAC should establish a firm precedent from existing decisions; this would avoid a situation of hearing repeated appeals that are generic and raise no new issues. If an appeal is upheld or rejected, the FAC should be able to examine its backlog of existing appeals (and new appeals) and summarily issue the same decision on appeals of exactly the same type and same pertinent factors.
- **Lodging of appeals:** The Minister should establish more rigorous requirements with regard to an application to appeal; that is to say that an appeal should have grounds that relate to an individual licence rather than a group of licences. Evidence for specific appeals should be provided when lodging the appeal and the appellant should be required to state their specific interest in the licence that they are appealing.

## 4. Conclusion

M Grace Timber Ltd is a 3<sup>rd</sup> generation Sawmill/Forrestry working family run business. At present we have 17 fulltime employees working directly in our Sawmill and have another 10 indirectly. We are a small family run business in the heart of the community, which is mainly agriculture and forestry.

As you will appreciate in the current climate our business has already suffered major setbacks this year due to the Covid 19 pandemic. We are operating as best we can in the current situtaton and this is being made significantly more difficult and challenging by the complications in optaining timber to keep our sawmill running and our staff employed.

Is mise le meas,

Dermot Grace

Dermot Grace

Director

M Grace Timber Ltd

**Robertson Low, Marie Scully**

Dear Sir/Madam

I write to confirm that as an employee of an Insurance Brokers that act for a wide range of clients operating in the Forestry Industry I support the upcoming Bill as the failure of any of these Forestry clients could potentially have an impact on the viability of my own employment.

Kind regards

Marie

**Chadwicks Group, Martin McKeever**

- Peoples livelihood depends on this, I support the forest industry
- There are long delays to licences caused by the FAC
- The FAC cannot cope with the workload
- This is hindering forestry activity and damaging the forest industry
- It is vital that the FAC is reformed to make it fit for purpose

**Martin McKeever | Sales co-ordinator**

**Timber Charge Hand**

Chadwicks Group

**ECC, Richard Molloy**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.

I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,

Richard Molloy

*Ire-Wel Pallets, Shay Walsh,*

*wish to make the following submission regarding the recently drafted amendments to the Agricultural Appeals Act 2001.*

*I wish to state that I fully support these amendments which need to be implemented urgently and in full.*

*I am making this submission as I work in the forestry sector and understand how important these amendments are to align the forestry licencing and*

*appeals processes with similar planning processes and to improve the overall efficiency of this system.*

Kind Regards,

Shay Walsh  
**Managing Director**

**Ire-Wel Pallets Limited**

**Woodland Managers Ltd. , Martin O'Shea**

I am a registered forester based in the west of the country and I am directly affected by the ongoing issues surrounding appeals and the appeal process on Form 1 and TFL applications.

I wish to register my support for the amendment to the Agriculture Appeals Act, 2001 to align the forestry licencing and appeals processes with similar planning processes.

Widespread appeals against planting, roading and felling licences is causing havoc within the forestry industry and creating serious problems maintaining a viable afforestation and harvesting programme.

The long delays to the issuing of felling licences and Form 1 approvals caused by these appeals is crippling the industry and putting livelihoods at risk. The current Forestry Appeals Committee process cannot cope with the workload and needs to be reformed.

The strain on the timber supply is quite evident and sawmills need regular assured supplies of timber to keep people working and maintain their markets. This amendment must be passed if there is to be a viable forestry industry in the future. The delays already experienced has damaged the public perception of the forestry industry and has severely damaged the ability of the industry to meet afforestation targets set by government.

Regards,  
Martin

27th August 2020

Dear Sir/Madam

Since the introduction of the new forestry licensing procedures in 2019, the processing and issuing of forestry licences have been seriously impacted. We fully **support** the amendment to the Agriculture Appeals Act, 2001 to align the forestry licencing and appeals processes with similar planning processes.

O Keeffe Sawmills Ltd

Deerpark

Lismore

Co Waterford

Gerard O Keeffe

**ECC, Pat Murphy**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill.

I just have a few simple facts:

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,

Pat Murphy

**Mount Leinster Transport, Mairead Spruhan**

Dear Sir / Madam

I am writing to you in relation to the proposed changes to FAC Legislation.

I support the proposed changes to the legislation. There are long delays to licences caused by the FAC. The FAC cannot cope with its workload and this is hindering forestry activity and damaging the industry. It is vital that FAC is reformed to make it fit for purpose. People's livelihoods, mine included are at stake here.

Kind regards,

Mairead Spruhan

**Balcas Timber, Martin Batts**

Dear Sir / Madam,

I would like to make the following submission in connection with the recently drafted amendments to the Agricultural Appeals Act 2001.

I would like to confirm that I fully support these amendments which need to be urgently implemented.

I am making this submission as I work in the forestry sector and understand how important these amendments are in order to safeguard the forest products industry and those people and their families who rely upon it for their livelihood.

Regards

Martin Batts

**Martin Batts**

Timber Sales Director

**Balcas Energy, Scott Buchanan**

Good afternoon

As a manager in a work place that depends on the forestry industry I am really concerned of the impact any delays on this bill will have on my job and my fellow 250 colleagues jobs, also my company is a key employer in 2 locations so any loss of business and jobs will be devastating to our local economy.

Kind regards

Scott

**Scott Buchanan**

Log Yard Manager

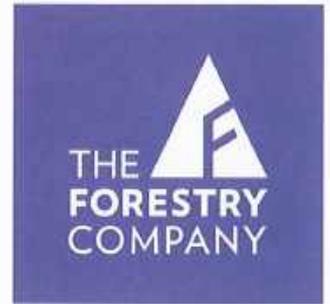
**Wright Insurance Brokers, Andrew Murphy**

Dear Sir/Madam

I write to confirm that as an employee of an Insurance Brokers that act for a wide wide range of clients operating in the Forestry Industry I support the upcoming Bill as the failure of any of these Forestry clients could potentially have an impact on the viability of my own employment.

Kind regards

Andrew



YOUR LAND.  
OUR EXPERIENCE

**27th August 2020**

# **Draft Agricultural Appeals (Amendment) Bill 2020**

## **SUBMISSION TO PUBLIC CONSULTATION**

SUBMISSION MADE TO: [FORESTRYBILL2020@AGRICULTURE.GOV.IE](mailto:FORESTRYBILL2020@AGRICULTURE.GOV.IE)

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**SUBMISSION FROM : THE FORESTRY COMPANY**

**EAST PARK HOUSE,**

**MARINA COMMERCIAL PARK,**

**CORK T12 P9TP**

**TEL : 021 4322870 / 087 267 0992**

**EMAIL : [CONOR@THEFORESTRYCOMPANY.IE](mailto:CONOR@THEFORESTRYCOMPANY.IE)**

## 1. Managed Forestry in Ireland

Managed forestry is a fast growing, green industry which provides rural jobs, contributes to climate action, facilitates tourism and recreation and produces technologically advanced timber and biofuel products. The industry, which is managed to the highest European standards, makes a €2.3 billion contribution to the Irish economy and supports 12,000 jobs. The Forestry Company is proud to be delivering and growing quality jobs, especially in our rural communities. By 2035, it is expected that the sector will double in size. We provide 10 direct jobs all over Ireland at present and on a yearly basis we would hire in over 40 different contractors from all over rural Ireland, who make it possible for us to carry out our forestry roles and make a significant contribution to both direct and indirect employment and the local economy.

Forestry has the potential to significantly contribute to Ireland's obligations to mitigate climate change and provides valuable habitats for biodiversity and nature, along with important ecosystem services such as water quality and flood protection. Forestry can also meaningfully improve farm income and farm value.

The formation of a new government, together with an important and ambitious Programme for Government, *Our Shared Future*, paves the way for policy formation, legislation and change. We will always seek to engage positively with Government into the future and we note in particular that forestry can play an important role across so many of the objectives laid out in the Programme for Government.

This is a shovel ready sector, with real potential to grow sustainable local and green jobs.

## 2. Current crisis

At present, the forestry industry is at crisis point.

Since the introduction of new forestry licensing procedures in 2019, the processing and issuing of forestry licences have been seriously impacted. The current system is not fit for purpose and is putting jobs at risk. The ability to operate and plan is being impeded by administrative inadequacies and procedural barriers, which exist nowhere else in Europe.

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There has been widespread disruption across the forestry sector. Currently, felling license approvals are only at 20% of the required rate; consequently, the industry is being starved of the necessary timber supplies. The potential impact is severe, both financially and with respect to jobs as sawmills will run out of timber within months unless the current impasse is resolved. The severity of the situation is underscored even further when the impact of Covid-19 is considered as unemployment soars nationally and the numbers on the Live Register remain high throughout rural Ireland. It is estimated that in 2020 there will be 2500 hectares planted in total, yet there is over 10,000 hectares in the Department of Agriculture system, that the Department have been unable to process in a timely manner.

Another central part of the licensing process, the Forestry Appeals Committee (FAC) has caused significant difficulties. At present, there are approximately over 400 outstanding projects appealed but not yet processed – these appeals impact planting, felling and road building. Since the start of the year, the FAC has only processed an average of circa 25 projects per month. At the present rate at which appeals are being processed, it will take 16 months to clear the backlog. However, the rate of new appeals continues to grow and is actually far greater than the rate at which they are being processed - leading to an ever-increasing backlog. In one day in early August, objectors stalled production of 100,000 cubic metres of timber - enough timber to build 5,000 homes. It is also worth noting that the vast majority of appeals are lodged by a small handful of individuals and target forest policy generally rather than any specific project.

We believe that these issues can be addressed, and solutions identified but action must be taken now before more jobs are lost rather than created and the true potential of the industry is undermined.

### 3. Comments regarding the draft legislation

The Forestry Company welcomes the draft legislation and encourages its implementation with additional elements. Outlined below is the views of The Forestry Company with respect to specific parts of the draft legislation alongside some additional recommendations.

- **Head 3:**
  - **Annual Report:** The proposal regarding the introduction of a yearly report is welcome. A key focus of the report should be on how the FAC performs with respect to the timely delivery of decisions on appeals. Sufficient resources should be put in place to ensure that FAC decisions are delivered within 60 days of appeals being lodged.

- **Head 4:**

- **Chairperson:** The introduction of a Deputy Chairperson is welcome; this would negate current difficulties where the Chairperson must be a participant in every appeal.
- **FAC Divisions:** I welcome the proposal to allow the FAC to meet in divisions and recommend that a division of the FAC should be able to operate without one of the Chairpersons and be comprised of FAC board members only.
- **Quorum:** A quorum for a committee should be 2 rather than 3, as this is appropriate to the level of complexity of forestry projects and it will allow the statutory timeframe of 2 months to be met.
- **Criteria for FAC Membership:** The FAC will be able to fully utilise the resources at its disposal by the removal of the requirement for a member of the FAC to be of a specified grade – this is a welcome proposal.
- **Resources:** The FAC must be adequately resourced and have the appropriate manpower to clear the backlog and reach a point where all appeals are decided upon within 60 days of an appeal being lodged.
- **Timeframe for Appeals:** As noted above, a decision on all appeals should be issued within 60 days of an appeal being lodged – a statutory timeframe should be put in place for dealing with appeals; an approach already adopted for some housing developments. This additional amendment is of fundamental importance to improving the effectiveness of the forestry appeals legislation.

- **Head 5**

- **Payment of fees:** The proposal regarding an introduction of a fee for appeals is welcome and a key step to ensure the FAC is adequately resourced and brings the process in line with other planning requirements.
- **Oral Hearings:** The Forestry Company supports the proposal regarding the power of the Chairperson(s) to determine whether an oral hearing is required to determine an appeal. The holding of oral hearings has created long and unnecessary delays.
- **Ministerial Powers:** The proposal for the relevant Minister to retain the stated powers to issue Directives and formulate regulations for the FAC is welcome.

- **Additional Measures to those contained in the draft legislation:**

- **National forestry policy:** Terms of reference for the FAC should make note of the obligation of the licensing system and the process for appeals to support

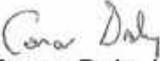
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national forestry policy. The importance of the forestry sector, the employment it supports throughout Ireland and its €2.3 billion contribution to the national economy have been recognised by successive governments.

- **Appeals without sufficient ground:** The Chairperson of the FAC should be given powers to reject appeals which are without sufficient ground or merit.
- **Site specific appeals:** Valid grounds for appeal should be further developed to ensure all appeals are related to a specific site and are not used as a mechanism to object to national forest policy.
- **Appeals determination and precedence:** The Chairperson of the FAC should establish a firm precedent from existing decisions; this would avoid a situation of hearing repeated appeals that are generic and raise no new issues. If an appeal is upheld or rejected, the FAC should be able to examine its backlog of existing appeals (and new appeals) and summarily issue the same decision on appeals of exactly the same type and same pertinent factors.
- **Lodging of appeals:** The Minister should establish more rigorous requirements with regard to an application to appeal; that is to say that an appeal should have grounds that relate to an individual licence rather than a group of licences. Evidence for specific appeals should be provided when lodging the appeal and the appellant should be required to state their specific interest in the licence that they are appealing.

## 4. Conclusion

It is of vital importance that the FAC is reformed and resourced to make it fit for purpose. The future of the Forestry Sector and thousands of sustainable green jobs in our rural communities all over Ireland is dependent on action being taken immediately to address the issues with licensing procedures.

  
Conor Daly, HND Forestry, MSIF  
Managing Director,  
The Forestry Company

Anthony McDonnell Transport Ltd., Anthony McDonnell

To whom it may concern

1. The current licencing process is inadequate. Huge delays are being caused by the Forestry Appeals committee (FAC).
2. The FAC cannot cope with the workload.
3. Forestry activities have ceased due to the backlog damaging the Industry.
4. It is vital that changes are made to the process to ensure the FAC is fit for purpose.
5. I support the proposed changes in the Agricultural Appeals (Amendment) Bill.
6. It is very simple; People livelihoods are at stake here.

Kind regards,

Anthony McDonnell

Anthony McDonnell Transport Ltd

Egan Office Supplies - Conor Egan

We support the Draft as we do business within the industry and we rely on it,  
not to mention all the jobs the industry support.

We need this legislation passed to save our jobs and this industry.

Thank You

**Lewis Tyler & Sons (Fencing) Ltd. – Kirstie Ashman**

To whom it may concern,

Please find my submission below in relation to the Agricultural Appeals (Amendment) Bill. I strongly support this bill.

I just have a few simple facts:

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Kind regards,

**Kirstie Ashman | Director**

**Ballymountain Builders Providers Ltd. - Noel Power**

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Kind regards,

Noel Power,

Managing Director.