

## Written Answers.

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**The following are questions tabled by Members for written response and the ministerial replies as received on the day from the Departments [unrevised].**

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*Questions Nos. 1 to 9, inclusive, orally.*

### Seirbhísí Farantóireachta

10. D'fhiafraigh **Deputy Éamon Ó Cuív** den Aire Ealaíon, Oidhreacht agus Gaeltachta cén fath nach bhfuil conradh seirbhísí farantóireachta fóirdheonaithe chuig Árann ann; agus an ndéanfaidh sé ráiteas ina thaobh. [3976/14]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Mar a dúirt mé i bhfreagra ar Cheist Dála Uimh. 137 ón Teachta ar 23 Eanáir 2014, tháinig deireadh le conradh farantóireachta Árann ar 31 Eanáir 2013. Bhí mo Roinn tar éis léirithe spéise a lorg don chonradh ar chóras *e-tenders* agus seoladh cáipéisí tairisceana amach le dáta dúnta den 21 Nollaig 2012. Níor tháinig aon tairiscint ar ais chuig mo Roinn, is é sin le rá nár chuir aon chomhlacht nó aon ghnó isteach air. Bhí plé ina dhiaidh sin ag mo Roinn leis an bhfarantóir a bhí ag cur na seirbhíse ar fáil d'Árann, féachaint an bhféadfaí an conradh a athnuachan ar na téarmaí céanna a bhí ann go dtí sin. Níor éirigh leis na cainteanna sin mar nach bhféadfadh mo Roinn glacadh le héileamh an fharantóra ardú ollmhór a cheadú san fhóirdheontas i gcás seirbhíse a bhí, de réir cosúlachta, brabúsach cheana féin.

Mar a thuigeann an Teachta, cuireadh in iúl ag an am go mbeadh sé ar chumas an fharantóra leanúint leis an tseirbhís chéanna gan chúnamh Stáit, mar go raibh inmharthanacht tráchtála ann, agus is mar sin atá an scéal ó shin.

Tuigim go bhfuil éiginnteacht áirithe ann faoi láthair go leanfar leis an leibhéal céanna seirbhíse a bhí ann le bliain anuas. Faoi mar a chuir mé in iúl don Teachta nuair a pléadh an t-ábhar seo sa Teach ar 31 Eanáir 2013, tá mo Roinn go hiomlán oscailte tabhairt faoi aon chéimeanna réasúnta gur féidir léi a chabhródh leis an gceist seo a réiteach, faoi réir na rialacha soláthair poiblí agus na srianta airgeadais atá ann. Bhí cruinniú ag oifigigh mo Roinnse leis an bhfarantóir agus le hionadaithe an oileáin le déanaí agus pléadh féidearthachtaí éagsúla. Leanfar leis na hiarrachtaí seo amach anseo le cinntiú, feadh ár gcumais, go mbeidh seirbhís rialta farantóireachta ar fáil d'Árann ar chostas réasúnta i gcaitheamh na bliana.

### Architectural Heritage

11. **Deputy Clare Daly** asked the Minister for Arts, Heritage and the Gaeltacht the supports that are available from his Department, and the contact he has had with the Department of Defence, to preserve the heritage that exists of a garrison community, unique in Ireland in the Curragh Camp which although under the Department of Defence contains much civilian

history and is of national historical importance. [3952/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I understand that there are currently seven buildings in the Curragh Camp which are protected structures under Part IV of the Planning and Development Acts 2000-2012, which provides for the protection of architectural heritage. The Act gives primary responsibility to planning authorities, in this case Kildare County Council, to identify and protect the architectural heritage by including particular structures on the Record of Protected Structures.

Inclusion on the Record of Protected Structures places a duty of care on the owners and occupiers of protected structures and also gives planning authorities powers to deal with development proposals affecting them and to seek to safeguard their future. The Curragh Camp is, of course, an operating military base of the Defence Forces.

The Defence Forces have access to general advice and guidelines published by my Department regarding conservation and maintenance of traditional buildings. The statutory Architectural Heritage Protection Guidelines for Planning Authorities was reissued by my Department in 2011. These guidelines, which outline the general conservation principles that apply to protected structures and to historic structures in general, are available on my Department's website at <http://www.ahg.gov.ie>. In addition, my Department has published a series of advice books offering practical advice and guidance on various aspects of maintenance of traditional buildings. This advice series is also available on my Department's the website.

In relation to the wider heritage of the Curragh Camp, the Curragh Military Museum was awarded €15,000 by my Department under the Local and Regional Museum Scheme 2013 towards the cost of work on the conservation and interpretation of its Chester Beatty Arms Collection. I understand that the Heritage Council, which is funded by my Department, is also supporting the Curragh Military Museum in its expressed interest in joining the Museum Standards Programme of Ireland (MSPI). The MSPI is intended to raise the standard of care and curatorship in participating museums. The Curragh Military Museum is operated by the Defence Forces under the remit of my colleague, the Minister for Defence.

### **Abbey Theatre**

12. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht his plans to build the new Abbey Theatre. [4013/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As I have indicated to the Deputy in replies to previous Parliamentary Questions, there are no plans to build a new Abbey Theatre. The long-term location of the Abbey Theatre is now settled. The Abbey Street location is now, and will be for the future, the home of the National Theatre.

### **Arts Council Membership**

13. **Deputy Mick Wallace** asked the Minister for Arts, Heritage and the Gaeltacht the number of persons sitting on the Arts Council at present; when he expects to fill existing vacancies; and if he will make a statement on the matter. [3975/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Section 11 of the Arts Act 2003 deals with the appointment of members of the Arts Council. It specifies that the Council shall consist of a chairperson and 12 ordinary members, each of whom shall, in the

opinion of the Minister, have a special interest or knowledge in relation to the arts or matters connected with the functions of the Minister or the Council under this Act. Members are appointed by the Minister for a period of 5 years.

On 15 December last, the chair and 5 ordinary members completed their terms of office. Since that date, there have been seven members on the Arts Council. Yesterday I announced the appointment of a new Chair designate, Ms Sheila Pratschke and five new members to the Council. In line with the procedures for such appointments, Ms Pratschke's position will be confirmed following appearance before the Oireachtas Committee on Environment, Culture and the Gaeltacht at a date to be arranged. The five new members of the Arts Council are Dr. Éimear O'Connor, Ms Monica Spencer, Ms Miriam Dunne, Mr. Brian Maguire and Ms Joan Sheehy.

The Chairperson designate, Ms Sheila Pratschke, was Director of Centre Culturel Irlandais in Paris from 2007 to 2013, and is a former director of both the Tyrone Guthrie Centre from 2001 to 2007 and the Irish Film Institute.

I was delighted to announce the new Chairperson designate and members of the Arts Council. Across the range of artforms- from architecture to the visual arts - the Arts Council plays an extremely important role in supporting individual artists and arts organisations in their work. The arts sector - like every sector in Ireland - has had a challenging time in recent years. The Chairperson designate and new members have a wealth of experience which will benefit the development of the arts in Ireland into the future.

### **Straitéis 20 Bliain don Ghaeilge**

14. D'fhiafraigh **Deputy Michael P. Kitt** den Aire Ealaíon, Oidhreacht agus Gaeltachta an bhfuil sé sásta pobal na Gaeilge agus na Gaeltachta a aithint mar gheallsealbhoirí i gcur i bhfeidhm na Straitéise 20 Bliain don Ghaeilge ó dheas agus na Straitéise don Ghaeilge ó Thuaidh; agus an ndéanfaidh sé ráiteas ina thaobh. [3996/14]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** I dtús báire, ní miste dom a rá go bhfuil mo Roinnse airdeallach go bhfuil éileamh ann gur chóir go mbunófaí struchtúr ar leith le cinntiú go mbeidh ról lárnach ag na heagraíochtaí Gaeilge agus Gaeltachta i gcur i bhfeidhm na *Straitéise 20 Bliain don Ghaeilge*. Tá mo Roinnse airdeallach fosta go bhfuil athruithe i ndán d'earnáil na n-eagraíochtaí Gaeilge faoi na socruithe nua maoinithe atá á gcur i bhfeidhm ag Foras na Gaeilge faoi láthair.

Mar is eol don Teachta, reáchtáil mo Roinn seimineár i mí Dheireadh Fómhair 2013 chun deis a thabhairt do na heagraíochtaí ábhartha Gaeilge agus Gaeltachta léargas a fháil ó mo Roinnse, ó Fhoras na Gaeilge agus ó Údarás na Gaeltachta faoin obair atá idir lámha againn faoin Straitéis agus faoin bpróiseas pleanála teanga. Is deis éisteachta a bhí ann chomh maith do mo Roinnse, don Údarás agus don Fhoras a chuideoidh le comhthuiscint a chothú idir na páirtithe éagsúla ar an ábhar seo. Is féidir liom a dheimhniú go bhfuil na moltaí a tháinig ón seimineár á meas go cúramach i láthair na huairé i gcomhthéacs na n-athruithe ar earnáil na n-eagraíochtaí Gaeilge atá luaite agam.

Mar thoradh ar Acht na Gaeltachta 2012, ní miste dom a rá go bhfuil ról níos lárnaí ná riamh ag pobal na Gaeilge agus na Gaeltachta, agus ag na heagraíochtaí pobail a fheidhmíonn thar a gceann, i gcur i bhfeidhm na Straitéise tríd an phróiseas pleanála teanga ar an talamh.

Mar a thuigfidh an Teachta, níl aon ról agam i ndáil leis an dréacht Straitéis don Ghaeilge ó Thuaidh atá idir lámha ag an Roinn Cultúir, Ealaíon agus Fóillíochta. Tuigtear dom go bhfuil sé

i gceist ag mo chomhghleacaí, an tAire Ní Chuilín, Straitéis Ghaeilge a chur os comhair Fheidhmeannas Thuaisceart Éireann i gcomhréir leis an ngealltanas i gClár an Rialtais ó Thuaidh.

*Question No. 15 answered with Question No. 7.*

### **Turf Cutting Compensation Scheme**

16. **Deputy Denis Naughten** asked the Minister for Arts, Heritage and the Gaeltacht if he will review the content and conditions of contracts issued to turf cutters under the cessation scheme; the number of contracts issued; the numbers returned to date; the number under each compensation/relocation category; and if he will make a statement on the matter. [3959/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** Under the cessation of turf cutting compensation scheme, three types of legal agreements have been and are being issued by my Department:

- The first is a legal agreement for qualifying turf cutters who are signing up to the annual payment of €1,500, index-linked, for 15 years.

- The second is a relocation interim legal agreement for qualifying turf cutters who have expressed an interest in relocation but no relocation site is currently available for them to relocate to. This relocation interim legal agreement provides for the payment of €1,500, index-linked, or a supply of 15 tonnes of cut turf per annum, while these applicants are awaiting relocation to non-designated bogs.

- The third is a relocation final legal agreement. This agreement has been issued to qualifying turf cutters where a site has been assessed as suitable for relocation and is ready, or can be made ready, for use for domestic turf cutting.

Turf cutters who sign and return the applicable legal agreement to my Department will also receive a once-off incentive payment of €500.

The interim legal agreement is required in the case of relocation sites because, for the majority of raised bog special areas of conservation, the relocation site and the terms and conditions applicable to those sites will take time to finalise. Turf cutters are being asked to sign the interim agreement on the understanding that when a relocation site is sourced, assessed and agreed, they will be asked to sign a final legal agreement at that time. If it is not possible to find a suitable relocation site - for example, for reasons of quality or quantity of turf, planning requirements, or issues in relation to the purchase or lease of a site - my Department will consult with turf cutters as to the best option to take at that time.

I am satisfied that the legal agreements as set out above are appropriate to the circumstances in these cases.

It is the aim of my Department to secure a relocation site for every person who has applied for one and progress is being made in that task. However, relocation is a complex process that does take some time to deliver. The agreements being issued reflect this reality. The interim agreement is designed to give all stakeholders the time to deliver relocation options that work for turf cutters. The clear directions that I have given my officials is to examine all relocation options with a view to securing alternative cutting locations for as many turf cutters as possible within the shortest timeframe.

1,692 legal agreements have been issued and my Department is continuing to issue agree-

ments to qualifying applicants. Applicants have been requested to return the completed legal agreements within four months of the date of issue. 1,190 legal agreements have been returned to my Department thus far. To-date in the region of 980 once-off incentive payments of €500 have been made to applicants in respect of these legal agreements. The numbers of legal agreements by type issued by and returned to my Department are not available at this time because of the priorities of my Department in administering the cessation of turf cutting compensation scheme.

### **Inland Waterways Maintenance**

17. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he is aware of disquiet amongst Royal and Grand Canal boat dwellers who are likely to be affected by proposed new by-laws; if his attention has been drawn to the fact that such dwellers agree with the need for regulation but are concerned at the extent to which their way of life for many years is likely to be affected; if he has had discussions with Waterways Ireland in this regard or intends to do so in the near future; and if he will make a statement on the matter. [3967/14]

25. **Deputy Clare Daly** asked the Minister for Arts, Heritage and the Gaeltacht regarding the review of the Canals Act (Amendment) By-Laws 2014, his plans to extend the review and include provisions similar to those existing in Britain for long-term barge dwellers; and if not, the way he proposes to deal with this issue. [3953/14]

104. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he has been made aware of the concerns of traditional canal boat dwellers on the Grand and Royal Canals arising from the potential application of proposed new by-laws; if he will arrange for dialogue with those involved with a view to resolving any difficulties; and if he will make a statement on the matter. [4504/14]

105. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the total number of traditional canal dwellers currently situate on the Grand and Royal Canals who may be affected by proposed new by-laws; if he expects to be in a position to offer an orderly solution; and if he will make a statement on the matter. [4505/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 17, 25, 104 and 105 together.

As Deputies will be aware, Waterways Ireland proposes to make new bye-laws which are intended to enhance its ability to manage the canals for the benefit of all canal users. There are over 14,000 registered boat owners on the seven waterways managed by Waterways Ireland. These seven waterways make a vital contribution to tourism, attracting visitors from around Ireland and from abroad.

The proposed bye-laws are intended to support the investment already made by Waterways Ireland in new infrastructure and facilities along the canals. That investment has made the waterways more attractive for boat owners and is helping to develop them as a vibrant recreational and tourist amenity. Given that background, it is now necessary to update the bye-laws to ensure that the rules governing use of the waterways are fit for purpose and best meet the needs of all waterway users.

The proposed new bye-laws provide for the management of house boats, defined as a boat on the canals which is being used as the sole or principal residence of the owner or an occupant with the owner's permission, as well as for extended moorings and residential moorings. An Annual Houseboat Mooring Permit will be required for a houseboat not navigating or continu-

ously cruising the canals. The permit will allow the use of a mooring identified by Waterways Ireland on the canals where the houseboat may moor for more than five days and up to one year. It is not possible to give an accurate estimate of the total number of boat owners who will be required to take out an Annual Houseboat Mooring Permit in the event of the draft bye-laws coming into force. However, I am advised that Waterways Ireland issued 276 Combined Mooring and Passage permits in 2013 for boats to navigate on the Grand and Royal Canals. In addition, 151 Extended Mooring Permits have been issued to boat owners wishing to occupy dedicated berths on these navigations.

The proposed bye-laws will also modernise the charging regime. There will also be further provision for the care, management, maintenance and control and the regulation of the use of the canals, moorings on the canals, and their use by the public for recreation and navigation purposes.

The proposed new bye-laws will be introduced only after the completion of an open public consultation process, which is currently underway. The Canals Act 1986, as amended, stipulates a 21-day consultation period, which, in the present instance, ends at 3pm on 3 February 2014. This public consultation process provides stakeholders, including boat residents and anyone who may have any concerns, with an opportunity to submit their views, opinions and written objections on the draft bye-laws to Waterways Ireland.

I am informed by Waterways Ireland that the main stakeholders, which include the Inland Waterway Association of Ireland, the Heritage Boat Association, the Royal Canal Amenity Group and the Irish Boat Rental Association, have been contacted individually and invited to meet with the Chief Executive and the senior management team of Waterways Ireland prior to submitting their consultation responses. This will afford these groups an opportunity to express their views, opinions and any concerns they may have regarding the proposed bye-laws. I am also advised that all current permit holders on the Grand Canal have received individual written notice and have been given the opportunity to respond within the consultation timeframe on an individual basis.

Following completion of the consultation process, Waterways Ireland will consider all responses and will then finalise its proposed approach. Any discussions that are necessary with Waterways Ireland will take place at that point.

### **Maoiniú Chomhlachtaí Stáit**

18. D'fhiafraigh **Deputy Michael P. Kitt** den Aire Ealaíon, Oidhreacht agus Gaeltachta an féidir leis stad a chur le haon laghdú eile ar bhuiséad Udarás na Gaeltachta, Fhoras na Gaeilge agus Roinn na Gaeltachta agus tosú ar na buiséid sin a mhéadú de réir a chéile chun obair na Straitéisí agus eile a chur i gcrích; agus an ndéanfaidh sé ráiteas ina thaobh. [3997/14]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Mar is eol don Teachta, is tríd an bpróiseas meastacháin agus cáinainéise a dhéantar leithdháileadh ar an soláthar airgid a chuirtear ar fáil ar bhonn bliantúil do mo Roinnse agus go deimhin do na Ranna Rialtais go léir. Tuigfidh an Teachta mar sin nach bhféadfainn aon bharántas a thabhairt maidir leis an mbuiséad a bheidh ar fáil do mo Roinnse, nó d'aon chomhlacht poiblí a thagann faoi scáth mo Roinne, in 2015 nó sna blianta ina dhiaidh sin.

Maidir leis an *Straitéis 20 Bliain don Ghaeilge 2010-2030*, is eol don Teachta, ní foláir, gur cuireadh allúntas speisialta €0.5m ar fáil ina leith i gCáinainéis 2014. Is léiriú follasach é seo ar chur i bhfeidhm an ghealltanais i *gClár an Rialtais* a deir go dtacóidh an Rialtas leis

an Straitéis agus go ndéanfar na spriocanna indéanta atá luaite inti a sheachadadh. Níl amhras ach go gcuirfidh an maoiniú seo ar chumas mo Roinne tabhairt faoi ghníomhaíochtaí éagsúla a thacóidh leis an phróiseas pleanála teanga ar an talamh.

### Severe Weather Events Response

19. **Deputy Seán Ó Fearghail** asked the Minister for Arts, Heritage and the Gaeltacht the damage inflicted on offshore islands as a result of the recent exceptional weather; the actions his Department will take to remediate this damage; and if he will make a statement on the matter. [4001/14]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** Responsibility for public infrastructure on the islands comes under the relevant local authorities and my officials are actively engaged with them regarding the damage caused. Local authorities continue to provide information updates as they progress their assessment of the damage caused – work which is being co-ordinated by the Department of the Environment, Community and Local Government. With regard to marine facilities on islands which are essential for access purposes, it is hoped that these can be included for the purposes of any package of assistance that may be made available to repair storm damage to important infrastructure. In terms of other infrastructure which was damaged on the offshore islands as a result of the bad weather, my Department, while very cognisant of the significant reductions in the capital allocation available to it for islands, will seek to take whatever supportive measures it can.

As the Deputy may be aware, an interim report in relation to the damage caused by the bad weather was presented to Government recently. I can inform the Deputy that I also wrote to the Minister for the Environment, Community and Local Government and to the Minister of State at the OPW in order to draw their particular attention to the damage caused to island infrastructure.

### Economic Growth Initiatives

20. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he anticipates the arts and heritage sector to contribute to economic recovery; the specific areas wherein the greatest opportunities arise; the degree to which he can assist directly and indirectly through the medium of grant aid or other forms of assistance; and if he will make a statement on the matter. [3966/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As set out in the *Programme for Government*, the Government's policy on the arts is to promote and strengthen the arts in all its forms, to increase access to and participation in the arts, and to make the arts an integral and valued part of our national life. The Government appreciates the importance of the arts, culture and the creative industries to both our society and to our economy. The arts sector continues to offer vital opportunities for the provision of important cultural, social and employment benefits to communities throughout the country.

In terms of financial impact from the wider arts sector, the total direct and indirect tax revenue earned by the Exchequer in 2011 was estimated to be some €336 million. The overall Gross Value Added contribution of the creative industries, which include all of the sub-sectors of the wider arts sector, was estimated at €4.6 billion, which was equivalent to approximately 2.8% of Irish Gross Domestic Product during 2011.

The conservation and promotion of our built and natural heritage also plays a major role in increasing Ireland's attractiveness as a tourism destination, in advancing national economic

regeneration and in creating downstream opportunities, such as in the accommodation, catering and retail sectors.

A study published by the Heritage Council in 2012 found that the historic environment is a highly significant contributor to Ireland's national economy, directly supporting almost 25,000 jobs. Including indirect and induced effects, it estimated that the historic environment sector supports upwards of 40,000 full-time equivalent employment positions in Ireland. In terms of its contribution to national income, Ireland's historic environment is estimated to account for some €1.5 billion annually to the nation's Gross Value Added, with a contribution to the national economy estimated to be equivalent to 1% of total Irish GVA, and some 2% of overall employment. In 2014 my Department's voted allocation will fund the activities of the Arts Council and of the Heritage Council; the expansion of access and improvement of facilities at the Department's National Parks and Nature Reserves and the grant-aiding of conservation of the country's built heritage via a number of programmes, including the *Built Heritage Jobs Leverage Scheme*, under which a significant fund of €5 million is being made available in 2014 for the repair and conservation of protected structures. All of these activities have an economic component and will help in supporting economic recovery.

If the Deputy requires more detail on specific programmes or plans, I will, of course, be happy to provide that.

### **Irish Language**

21. **Deputy Seán Ó Fearghail** asked the Minister for Arts, Heritage and the Gaeltacht the reason three quarters of the statutory language schemes, as proscribed in the Official Languages Act 2003, have expired without renewal since the end of 2012 with a quarter of them out of date for three years or more; and if he will make a statement on the matter. [4000/14]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny McGinley):** I refer the Deputy to previous parliamentary replies in regard to language schemes agreed under the Official Languages Act 2003, most recently Question No. 332 on 17 December 2013. I wish to reiterate that once a language scheme has been confirmed by the Minister for Arts, Heritage and the Gaeltacht, in accordance with section 14(3) of the Act, it remains in force for a period of three years from the date on which it was confirmed, or until a new scheme has been confirmed, whichever is the later. Currently, almost 200 public bodies are covered by 113 language schemes and my Department is actively engaged in the process of agreeing inaugural and subsequent schemes with a large number of public bodies.

It is important to reiterate also that the agreement of language schemes is an ongoing process designed to improve the provision of State services in Irish over a period of time. It must be noted that the process can be challenging for public bodies, particularly having regard to current resource pressures. A range of measures to improve the effectiveness of the language scheme process is being considered in the context of the proposed Official Languages (Amendment) Bill 2014, the draft Heads of which will be submitted for Government approval in the near future.

*Question No. 22 answered with Question No. 7.*

### **National Monuments**

23. **Deputy Seán Ó Fearghail** asked the Minister for Arts, Heritage and the Gaeltacht if he will provide an update on the progress of the development of the national monument at 16 Moore Street; and if he will make a statement on the matter. [4002/14]

93. **Deputy Maureen O’Sullivan** asked the Minister for Arts, Heritage and the Gaeltacht if he has received the revised plans for the proposed development of the Carlton site aka Dublin Central by Chartered Land and when submitted will they be made available for inspection and comment by interested parties and members of the public; if he will consult with the National Museum on the revised plan; and if he will make a statement on the matter. [4416/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 23 and 93 together.

On 16 July 2013 I made a determination under the National Monuments Acts in relation to a consent application and related Environmental Impact Statement submitted by the owners in relation to proposed works on the Moore Street national monument site. My decision on the consent application provided, inter alia, for the full repair and restoration of the monument buildings and the creation of a commemorative centre to honour the leaders of the 1916 Rising.

The national monument is in private ownership and, accordingly, the advancement of proposals that reflect the terms of the consent I have granted is a matter for the owners. The consent is, however, conditional on a revised project design that takes full account of the terms of my decision being submitted for my approval within 9 months of the decision date. A further condition requires substantive works to commence on site within 3 months of the approval of the revised proposals.

I understand that the monument owners have informed my Department that they are currently preparing proposals for the site that accord with the terms of my decision on the consent application and that the revised proposals will be submitted for my approval shortly. They will be assessed as quickly as possible on receipt to establish whether they conform to the terms of my decision on the consent application. The consultation procedures prescribed under the National Monuments Acts have already been completed in this case as part of the processing of the consent application and related Environmental Impact Assessment,

The question of whether any revised proposals would require a new application for planning permission is a matter for the planning authority, Dublin City Council.

### **Public Sector Staff Recruitment**

24. **Deputy Sandra McLellan** asked the Minister for Arts, Heritage and the Gaeltacht if his attention has been drawn to the fact that despite having the funding, the Heritage Council has two vacancies to fill - one in museums and one wildlife; and if he will confirm when these positions be filled. [4011/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As the Deputy will be aware, the Heritage Council, like all bodies under the aegis of my Department, is subject to the moratorium on public sector recruitment. Within that context, my officials continue to liaise on an ongoing basis with the Council and the Department of Public Expenditure and Reform in relation to relevant staffing issues.

*Question No. 25 answered with Question No. 17.*

*Question No. 26 answered with Question No. 9.*

### **Natural Heritage Areas Review**

27. **Deputy Seán Kyne** asked the Minister for Arts, Heritage and the Gaeltacht if in view of

the positive move in de-designating raised bogs Natural Heritage Areas, if he will conceive of a situation where other areas of NHAs could be reviewed on the request of land owners in a similar scientific basis; if on request of a local authority considering the construction of road infrastructure a review could be considered; and if he will make a statement on the matter. [3936/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The recently published Review of Natural Heritage Areas (NHAs) sets out a significant reconfiguration of the raised bog NHA network. The review was underpinned by a detailed scientific study which analysed the ecological value and restoration potential of each site. The review succeeded in ensuring that the conservation value of the NHA network is enhanced following the reconfiguration while significantly reducing impacts on active turf-cutters. The review was undertaken in the context of a commitment in the Programme for Government and in ensuring compliance with EU law relating to turf extraction within raised bog Special Areas of Conservation and NHAs. It will be necessary to bring forward legislative change to allow for the de-designation of NHAs as part of this re-configuration.

While I have no plans to undertake a more general review of NHAs at this time, the Wildlife Acts currently provide for the revocation of a Natural Heritage Area Order where the site no longer retains its scientific value.

The Wildlife Acts, the Roads Acts and the Planning and Development Acts provide for the protection of Natural Heritage Areas, the process through which projects, including roads projects are to be assessed, and the circumstances in which projects that affect NHAs may be consented to.

### **Building Regulations Compliance**

28. **Deputy Kevin Humphreys** asked the Tánaiste and Minister for Foreign Affairs and Trade in respect of capital building projects under the remit of his Department and the building programmes planned for 2014, if he will outline the impact the new building control regulations 2013, that come into effect on 1 March, will have on the costs of each specific project; if he will list the projects under way; the extra costs that will be incurred on each project due to increased professional fees and increased supervision; and if he will make a statement on the matter. [4367/14]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** The implementation of the new Building Control Regulations 2013, in relation to capital building projects in buildings occupied by the Department of Foreign Affairs and Trade, falls within the remit of the Office of Public Works.

### **Diplomatic Representation**

29. **Deputy Derek Nolan** asked the Tánaiste and Minister for Foreign Affairs and Trade if there was a timeline in place pertaining to the opening of the Irish embassy in Croatia; and if he will make a statement on the matter. [4405/14]

**Tánaiste and Minister for Foreign Affairs and Trade (Deputy Eamon Gilmore):** My Department is taking steps to implement the Government's decision on the expansion of the diplomatic network. This will involve, among other things, consultation with host country authorities, identification of suitable accommodation and making staffing arrangements. Given the wide variety of circumstances involved for each new Mission, I regret that it is not possible

to provide a definitive timetable for opening in any particular case. However, I can confirm that it is the Government's intention that all necessary arrangements will be completed without undue delay so that the new Missions will be fully operational in 2014 or as soon as practicable thereafter.

*Question No. 30 withdrawn.*

### **Mortgage Resolution Processes**

31. **Deputy Ann Phelan** asked the Minister for Finance if he will provide in tabular form, broken down by county, the number of persons who have engaged in MARP; and if he will make a statement on the matter. [4464/14]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank has informed me that it does not publish the particular data requested by the Deputy.

However, it does collect and publish data on the number of mortgage accounts in arrears and the number of alternative arrangements put in place across the regulated industry. These are published quarterly by the Central Bank. The latest available statistics, for Quarter 3, 2013 can be found at the following link on the Central Bank's website, <http://www.centralbank.ie/press-area/press-releases/Pages/ResidentialMortgageArrearsandRepossessionsStatisticsQ32013.aspx>.

### **Tax Yield**

32. **Deputy Pearse Doherty** asked the Minister for Finance the total betting duty paid in 2013 and the estimated betting duty for 2014. [4347/14]

**Minister for Finance (Deputy Michael Noonan):** I am informed by Revenue that the provisional receipts on betting duty for 2013 were approximately €25.4 million. The estimated take of 2014 betting duty would be broadly in line with this figure. However this takes no account of any duty that may arise out of the extension of betting duty to the remote betting sector which is dependent on the enactment of the Betting (Amendment) Bill 2013 currently before the House.

### **Insurance Levy**

33. **Deputy Terence Flanagan** asked the Minister for Finance the amount that has been collected to date since the introduction of the 2% insurance levy; the use to which the money has been put; the timeframe the levy will be imposed for; and if he will make a statement on the matter. [4350/14]

**Minister for Finance (Deputy Michael Noonan):** The Insurance Compensation Fund (ICF) levy being applied to home, motor and commercial insurance, and which came into effect from 1 January 2012, operates under the Insurance Act 1964. Its purpose is to protect policy holders in the event of their insurer becoming insolvent.

In 2010 Joint Administrators were appointed by the High Court at the request of the Central Bank because of concerns about the solvency position of Quinn Insurance Limited (QIL). The funds from the levy have been used to allow the QIL administrators to meet their financial obligations as they arise and the QIL administrators must seek High Court approval before any funds can be withdrawn from the ICF.

Under Section 6 of the Insurance Act 1964 the responsibility for deciding whether the ICF has sufficient funds available to it at any particular time is a matter for the Central Bank. Where, in the Bank's opinion, the state of the Fund is such that financial support should be provided for it, it determines an appropriate contribution to be paid to it by each insurer calculated as a percentage, not exceeding 2% of the aggregate of the gross premiums paid to that insurer in respect of policies issued in respect of risks in the State.

Since the reintroduction of the ICF levy in January 2012 there has been a total of €111,340,294.95 collected. €111,279,324.58 of this has been transferred from the Revenue to the ICF with a small amount deducted by the Revenue Commissioners to cover the set up and annual administration costs of collecting the levy.

The Central Bank and they have informed me that, it is not anticipated that there will be a change in the levy of 2% in the short to medium term.

### **NAMA Debtors**

34. **Deputy Maureen O'Sullivan** asked the Minister for Finance the extent to which financially the National Asset Management Agency is funding the drawing up of the revised plans for the proposed development of the Carlton site aka Dublin Central by Chartered Land; and if he will make a statement on the matter. [4353/14]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy may be aware, NAMA is subject to similar legal requirements as other lenders that preclude it from disclosing details relating to its debtors and properties owned by its debtors.

### **Property Taxation Administration**

35. **Deputy Heather Humphreys** asked the Minister for Finance the position regarding property tax liability for 2014 in respect of a case (details supplied); his plans to address this anomaly; and if he will make a statement on the matter. [4380/14]

**Minister for Finance (Deputy Michael Noonan):** In accordance with the Finance (Local Property Tax) Act 2012 (as amended), liability for Local Property Tax (LPT) will arise where a person owns a residential property on the liability date, which was 1 May 2013 for 2013 and for subsequent years, 1 November in the preceding year. For the year 2014, the liability date is 1 November. I would draw the Deputies attention to the fact that the 1 November liability date has been raised and responded to on several occasions in the House previously and, as far back as 27 March last year, in a reply to Question No. 110, I specifically addressed the fact that where a liable person sells their residential property between 2 November 2013 and 31 December 2013, provided that they owned the property on 1 November 2013, they will be liable to pay LPT on that property for 2014. Furthermore, the LPT liability crystallises on the sale of a residential property and must be paid in full either in advance of the sale or must be deducted from the proceeds of the sale. This includes any LPT that has been deferred by the liable person. This is in accordance with section 126 of the Act. For a tax such as LPT to function properly, legislation must specify a liability date for the tax to have application for a particular year. Whatever date is prescribed, the question of liability when there is a change of ownership has to be managed, and I expect the LPT liability is likely to be factored in during negotiations between the parties on the sale price and the closing date of a particular contract.

In relation to the assertion that there is an anomaly created when a property is sold between

2 November 2013 and 31 December 2013, an individual selling a property will often be purchasing another property at around the same time. While a vendor who owns a property on 1 November 2013 is liable for the 2014 LPT on that property, if s/he does not purchase another property before 1 November 2013 s/he will not be liable for the 2014 LPT on that “replacement” property - whoever is the owner as of 1 November 2013 will be liable. As there are a number of LPT issues to be considered when buying or selling a house, I am advised that detailed guidance on LPT issues arising in the context of the sale or transfer of a residential property was prepared by the Revenue Commissioners in consultation with the Law Society and is available since last August on the Revenue website at <http://www.revenue.ie/en/tax/lpt/sale-transfer-property.html> and on the Law Society’s website. The liability date for 2014 of 1 November 2013 is in the LPT legislation and I have no plans to change it.

### **Tax Credits**

36. **Deputy Ciarán Lynch** asked the Minister for Finance if he will consider the merits of the proposal (details supplied) regarding single parent tax credit; and if he will make a statement on the matter. [4397/14]

**Minister for Finance (Deputy Michael Noonan):** As the Deputy is aware, the One-Parent Family Tax Credit (OPFTC) is being replaced with a new Single Person Child Carer Tax Credit from 1 January 2014. The restructured credit will be of the same value i.e. €1,650 per annum as the one-parent family tax credit and it will also carry the same entitlement to the additional €4,000 extended standard rate band, which increases it to €36,800 per annum, before liability to the higher rate of income tax arises. However, the credit will be more targeted, in that it will in the first instance, only be available to the principal carer of the child. Given the difficult fiscal environment, it is essential to review all tax reliefs, credits and incentives in order to ensure that they are properly targeted and if necessary re-focused in order that they can achieve the socio-economic objectives that are set for them. A system that allows multiple claims in respect of the same child or children is unsustainable.

The new credit is designed to be an activation measure, which was the original intention behind the OPFTC. It is designed to be an in-work benefit to support the primary carer to take up, or remain in, employment. It should not be considered as a supplementary source of income, on which the financial support of a parent depends.

The Commission on Taxation acknowledged that the One-Parent Family Tax Credit played a role in supporting and incentivising the labour market participation of single and widowed parents. However, in its recommendations it concluded that the credit should be retained but that it should be allocated to the principal carer only. The restructuring of the credit will achieve such an outcome.

As regards the potential of this change to interfere with the level of maintenance payments, if such reasoning were to be applied, then any general tax increase, as a result of an adjustment in tax credits, rates or bands could lead to similar situations. Ultimately, maintenance payments are a matter for parents and if necessary, the courts to decide. It is not possible, and indeed would not be appropriate, for the tax code to take account of every possible variable. However, as a result of the amendment which I brought at Committee Stage in the Dáil, a primary carer can relinquish the credit such that a non-primary carer can claim it. This could be done on alternate years, should the relevant individuals agree. In such manner, both carers would have the benefit of the credit and additional standard rate band but only on alternate years. This goes some way towards achieving the result that your proposal advocates.

## Mortgage Debt

37. **Deputy Niall Collins** asked the Minister for Finance the action he will take where certain banks are refusing to engage with persons in respect of mortgage arrears and threatening repossessions; if his attention has been drawn to the deep concern being created in this regard; and if he will make a statement on the matter. [4410/14]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank's Code of Conduct on Mortgage Arrears (CCMA) sets out requirements for mortgage lenders dealing with borrowers facing or already in arrears on a mortgage which is secured on a primary home. The CCMA provides a strong consumer protection framework to ensure that borrowers struggling to keep up mortgage repayments are treated in a fair and transparent manner by their lender, and that long term resolution is sought by lenders with each of their borrowers.

The CCMA is a statutory Code issued under Section 117 of the Central Bank Act 1989 and lenders are required to comply with the CCMA as a matter of law. The CCMA sets out the framework that lenders must use when dealing with borrowers in mortgage arrears or in pre-arrears. This framework is known as the Mortgage Arrears Resolution Process (MARP) which sets set out the steps which lenders must follow:

Step 1: Communicate with borrower; Step 2: Gather financial information; Step 3: Assess the borrower's circumstances; and Step 4: Propose a resolution.

The CCMA provides an integrated and cohesive package of consumer protection measures and it seeks to deliver on the following principles, to:

- ensure appropriate resolution of each borrower's arrears situation;
- ensure that lenders deal with borrowers in a fair and transparent manner;
- support and facilitate meaningful engagement between lenders and borrowers; and
- ensure borrower awareness of the benefits of co-operating with their lender, and the consequences of not co-operating.

The Central Bank has advised that, where a borrower believes that their lender has not complied with or in any way disregarded the Code of Conduct on Mortgage Arrears, he/she may make a complaint to their lender. The lender must seek to resolve the borrower's complaint in line with the complaints handling process set out in provisions 10.7 to 10.12 of the Central Bank's Consumer Protection Code.

Each lender must also have an appeals process in place to enable a borrower to appeal in relation to a decision of the lender, including:

1. Where an alternative repayment arrangement is offered by a lender and the borrower is not willing to enter into the alternative repayment arrangement;
2. Where a lender declines to offer an alternative repayment arrangement to a borrower; and
3. Where a lender classifies a borrower as not co-operating.

For this purpose, each lender must establish an Appeals Board to consider and determine any such appeals submitted by borrowers. If the borrower remains dissatisfied following the outcome from the complaints or appeals process, he/she may then refer the matter to the Financial Services Ombudsman who deals independently with unresolved complaints from consumers about their individual dealings with all financial service providers.

Likewise borrowers should also communicate and engage with their lender regarding a mortgage in difficulty as early and effective engagement between borrowers and lenders is key to resolving cases of mortgage difficulty. Where there is effective and meaningful engagement, the data shows that an increasing number of durable long term mortgage restructures is being put in place.

### **Universal Social Charge Exemptions**

38. **Deputy Jack Wall** asked the Minister for Finance if a person (details supplied) in County Kildare should be exempt from paying universal social charge for 2012 and 2013; and if he will make a statement on the matter. [4434/14]

**Minister for Finance (Deputy Michael Noonan):** I am advised by the Revenue Commissioners that the person concerned is liable to pay the universal social charge for 2012. A PAYE Balancing Statement (P21) issued to the person concerned on 2 April 2013 detailing the charge for 2012. In Budget 2013, following a review of the USC carried out by my Department, the income threshold for the application of the universal social charge was increased from €77 per week for 2012 to €193 per week and therefore the person concerned is not liable for the charge for 2013. The Revenue Commissioners will write to the person concerned seeking the information necessary to issue a PAYE Balancing Statement (P21) for 2013.

### **Central Bank of Ireland Properties**

39. **Deputy Pearse Doherty** asked the Minister for Finance the estimated cost of a new building for the Central Bank of Ireland; and the alternatives that were examined such as investigating the use of existing Office of Public Works sites. [4453/14]

**Minister for Finance (Deputy Michael Noonan):** Under section 6B of the Central Bank Act 1942, the Central Bank Commission is responsible for administering the provision of accommodation and office and other equipment with a view to enabling the Central Bank to perform and exercise its functions and powers. Accordingly I have no function in the matter of accommodation arrangements at the Central Bank.

I have been informed by the Central Bank that the cost of the purchase of the site at North Wall Quay was €8.1m, including VAT. Other expenditure on the building is commercially sensitive at this time under public procurement rules.

I have been further informed by the Central Bank that it evaluated a range of suitable options including Office of Public Works owned premises, alternative commercial premises and retention of existing premises. The Central Bank is satisfied that development of the North Wall Quay site is the most cost effective solution for its requirements.

### **Central Bank of Ireland IT Operations**

40. **Deputy Pearse Doherty** asked the Minister for Finance the total cost of the Central Bank of Ireland for the outsourcing of its IT system, including the cost incurred due to the HP data centre. [4455/14]

**Minister for Finance (Deputy Michael Noonan):** The Central Bank entered into a contract with Hewlett Packard Ireland Ltd. to provide the physical data centre environment to host the Central Bank's IT systems and to manage the technical infrastructure aspects of these systems. Hewlett Packard Ireland Ltd. will also provide hosting facilities at a backup data centre for the

purposes of business continuity. Both of these data centres are located in Dublin.

The Central Bank followed robust public procurement tendering procedures before awarding this contract. The Central Bank selected Hewlett Packard Ireland Ltd. as a result of an open tendering process in compliance with strict guidelines laid down by the EU public procurement process. I am informed by the Central Bank that the cost of the tendering process for this service is estimated at €150,000 including the cost of legal advice.

I am informed by the Central Bank that a number of alternatives were investigated thoroughly and compared across a number of criteria before the contract was approved by the Central Bank Commission. The final costs of the contract that were agreed with the provider are commercially sensitive and are not available for release. However, I am informed by the Central Bank that the approach taken was considerably advantageous on cost when compared to the alternatives examined.

### **Banking Operations**

41. **Deputy Terence Flanagan** asked the Minister for Finance the reason it takes five working days to cash a cheque; if this time can be reduced; and if he will make a statement on the matter. [4475/14]

**Minister for Finance (Deputy Michael Noonan):** I have been informed by the Central Bank that, generally speaking, the clearing cycle for a cheque in Ireland should be no longer than three business days, with the bar on returning a cheque unpaid being set at five business days. However, it should be noted that this clearing cycle can be shorter in some circumstances in particular where the accounts of the payer and the payee are both held with the same branch of the same bank. As to the related matter of when a bank will permit a customer to draw against a cheque lodged to his or her account, this is a matter for decision by each bank based on its own risk management arrangements and would be outlined in the relevant terms and conditions.

### **NAMA Staff Unauthorised Disclosures**

42. **Deputy Stephen S. Donnelly** asked the Minister for Finance if the National Asset Management Agency has a recognised data leakage or loss prevention system in place to detect and prevent data breaches and data exfiltration transmissions; if he is satisfied that whatever system is in place is adequate to prevent sensitive data from being deliberately or mistakenly disclosed to unauthorised personnel; and if he will make a statement on the matter. [4541/14]

**Minister for Finance (Deputy Michael Noonan):** Following identification by it of an unauthorised electronic release of information in August 2012, NAMA implemented further systems enhancements. I am satisfied with NAMA's procedures to prevent data breaches, however as the Deputy would be aware that no system or control can provide absolute assurance in cases of an individual determined to break the law.

I am advised that NAMA operates best-in-class data loss/leak prevention systems across email, applications and network drives. The systems in place are designed to detect potential data breaches/data ex-filtration transmission and to prevent such breaches by monitoring, detecting and blocking sensitive data while in use, in motion and in storage. Systems in place include restricted access to applications on network drives, restrictions on copying data to external media, restrictions on email transmissions to non-corporate addresses, and restrictions on the type and size of attachments that can be transmitted. There are audit trails of all access on

NAMA s applications. A formal quarterly review of access to NAMA systems is carried out. This in addition to the on-going monitoring, review and, where relevant, updating and regular auditing of systems.

### **Health Insurance Levy**

43. **Deputy Billy Timmins** asked the Minister for Finance the tax implication of the budget changes for a person (details supplied) in County Wicklow, with respect to private health insurance; and if he will make a statement on the matter. [4546/14]

**Minister for Finance (Deputy Michael Noonan):** The system of income tax relief for medical insurance premiums is provided at source at the standard rate of income tax. Therefore, prior to the recent reform the State was paying 20% of the cost of all private medical insurance premiums. In Budget 2014 tax relief for medical insurance premiums was restricted to the first €1,000 per adult and the first €500 per child insured. Any portion of premium paid in excess of these ceilings no longer qualifies for tax relief. The cost of Income Tax relief in respect of medical insurance has increased significantly in recent years, at €404 million in 2011, €448 million in 2012 and is estimated to be €500 million in 2013. Despite the increasing cost of the relief, the numbers insured are estimated to have reduced by approximately 170,000 over the same period, while at the same time the level of medical cover has decreased on some policies. Against this background the increase in costs is unsustainable.

The new ceilings will ensure continuing support via the tax system for those who purchase medical insurance policies, while reducing Exchequer exposure to more expensive policies. It is not possible to estimate by how much a particular individual will be affected by this measure as tax relief on premiums is only one factor that could influence the pricing of premiums by insurance companies. Any change in the net amount payable for a premium could be caused by general increases in the price of the plan and/or changes in the medical procedures or hospitals covered and/or the imposition of the new ceilings for tax relief.

It is important to point out that the Government fully supports the elderly in retaining access to medical insurance via community rating of insurance premiums. Community rating, in principle, provides that everybody is charged the same premium for a particular health insurance plan, irrespective of age, gender and the current or likely future state of their health. Community rating therefore means that the level of risk that a particular consumer poses to an insurer does not directly affect the premium paid. It also means that premiums for younger or healthier lives are typically higher than their expected claims would require, whereas for older or less healthy lives, premiums are typically lower than the expected claims would require. Older people who have been paying health insurance premiums for many years will have contributed to intergenerational solidarity when they were younger and could reasonably expect to benefit from it now. The support system that enables community rating involves the charging of a levy on the policies of younger individuals to contribute to a fund that enables risk equalisation.

### **Single Euro Payments Area**

44. **Deputy Seán Ó Feargháil** asked the Minister for Finance if he is concerned that reports that the implementation of the single euro payments area regulation may result in delays to the payment of salaries and welfare entitlements; if he had discussed with financial institutions how such delays can be minimised; and if he will make a statement on the matter. [4555/14]

**Minister for Finance (Deputy Michael Noonan):** I have been informed by the Central Bank of Ireland, which is overseeing the implementation of the Single Euro Payments Area in

Ireland, that progress on the migration to the new system has been under way for some considerable time. In recent months, a significant proportion of payments generated in Ireland have migrated to the two SEPA schemes, namely SEPA Credit Transfer (SCT) and SEPA Direct Debit (SDD). It is expected that 95% of payments will be processed in SEPA by 1 February 2014 and the remaining 5% by 31 March 2014. I have asked the Central Bank to provide an update on progress and inform me of any prospective delays in the migration process and their immediate plans to address any such delays.

### **Ombudsman for Children Remit**

45. **Deputy Jim Daly** asked the Minister for Education and Skills the number of cases referred to the Ombudsman for Children for each of the past five years relating to complaints against school management; if she will confirm the number of these cases that were investigated by the Ombudsman; and if he will make a statement on the matter. [4344/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** For the Deputies information under Section 9 of the Ombudsman for Children Act, 2002 the Ombudsman for Children examines and investigates complaints against schools directly with the schools' management. Accordingly, the figures requested above are not held by my Department.

### **Building Regulations Compliance**

46. **Deputy Kevin Humphreys** asked the Minister for Education and Skills in respect of capital building projects under the remit of his Department and the building programmes planned for 2014, if he will outline the impact the new building control regulations 2013, that come into effect on 1 March, will have on the costs of each specific project; if he will list the projects under way; the extra costs that will be incurred on each project due to increased professional fees and increased supervision; and if he will make a statement on the matter. [4364/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Building Control (Amendment) Regulations 2013 require that a Building Owner (a) appoint a competent person/company as an Assigned Certifier to inspect the building works during construction and to provide a Certificate of Compliance with the Building Regulations on completion and (b) appoint a competent Builder to construct in accordance with the plans, specifications and Building Regulations and to sign the Certificate of Compliance on completion. The designer of the building works is also required to certify that the design documentation (plans, calculations, specifications, etc.) have been prepared to demonstrate compliance with the Building Regulations. The original Statutory Instrument, S.I. 80 Building Control (Amendment) Regulations 2013, was published on 15th March 2013 and specified an implementation date of 1st March 2014. Following its publication, a process of consultation between the Department of Environment, Community and Local Government and industry stakeholders was embarked upon. This culminated in the issue of a revised Statutory Instrument, S.I. No. 9 of 2014, on 20th January 2014. My Department is currently assessing the implications of the revised S.I. on projects in the capital programme, including potential additional professional fees arising from the regulations.

### **Student Grant Scheme Applications**

47. **Deputy Michael McGrath** asked the Minister for Education and Skills if a decision

on a student universal support Ireland grant application will be reviewed in respect of a person (details supplied) in County Cork. [4375/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The decision on eligibility for a student grant is a matter in the first instance for the awarding authority. The Deputy will appreciate that in the absence of all of the relevant details that would be contained in an individual's application in relation to nationality, residency, previous academic attainment and means, it would not be possible for me to say whether or not a student would qualify for a grant. If an individual's P60 includes amounts paid in 2012 but were earned in a previous tax year an individual can inform the Revenue Commissioners and have those amounts excluded from their P21 Balancing Statement. If an individual applicant considers that she/he has been unjustly refused a student grant, she/he may appeal, in the first instance, to the appeals officer in SUSI. Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his/her case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grants Appeals Board. The relevant appeal form will be available on request from SUSI.

### **Student Grant Scheme Eligibility**

48. **Deputy Derek Nolan** asked the Minister for Education and Skills his plans to reintroduce third level grants for Masters level programmes; and if he will make a statement on the matter. [4400/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** In the context of the necessary but difficult expenditure reduction measures announced in Budget 2012, new students entering postgraduate courses from the 2012/13 academic year onwards are not entitled to maintenance payments under the Student Grant Scheme. Those who meet the qualifying conditions for the special rate of grant under the Student Grant Scheme are eligible to have their post-graduate tuition fees paid up to the maximum fee limit of €6,270. A postgraduate student may qualify to have a €2,000 contribution made towards the costs of their fees. The income threshold for this payment is €31,500 for the 2013/14 academic year, increasing relative to the number of family dependents.

Tax relief is also available on postgraduate tuition fees. Details in relation to this relief are available from the Revenue Commissioners. In addition to this, the Student Assistance Fund will continue to be made available through the access offices of third-level institutions to assist students in exceptional financial need. I have no plans at present to change the current arrangements.

### **School Accommodation**

49. **Deputy Michael Creed** asked the Minister for Education and Skills the current situation regarding the drawdown of funds allocated for provision of a resource room at a school (details supplied) in County Cork; if additional classroom accommodation will be required from next September in view of the level of enrolment at the end of September 2013; if the issues regarding disability access have been resolved and in view of the fact that the school currently has one prefabricated classroom if he is satisfied that the approach to the schools accommodation issues is the most cost effective way of addressing the matter; and if he will make a statement on the matter. [4414/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** My Department is in ongoing liaison with the school, referred to by the Deputy, in relation to its accommodation needs. In

2008, the school was offered the option of building or purchasing a mainstream classroom. The school choose the option of purchasing the classroom accommodation concerned.

Under the 2010 Summer Works scheme, the school received significant funding to address disabled access. In accordance with the scheme, responsibility for delivery of the works concerned was devolved to the school. In 2012, funding for the provision of additional Special Education Teaching accommodation was approved and further disabled access works were also approved. In that regard, the school has sought an increase in the scope of works and the level of accommodation approved. More recently the school has also applied to the Department for an additional mainstream classroom. My Department is assessing the applications concerned and will be in further contact with the school shortly.

### **School Textbooks Rental Scheme**

50. **Deputy Seán Ó Fearghail** asked the Minister for Education and Skills in view of the fact that school book rental schemes vary significantly in what they cover; textbooks-work-books-stationery, the way he will ensure that additional funding for school book rental schemes is spent appropriately and lead to a system whereby standardised comprehensive school book rental schemes will be in operation in all primary schools; and if he will make a statement on the matter. [4457/14]

62. **Deputy Billy Timmins** asked the Minister for Education and Skills if he will allocate a grant to a school (details supplied) in County Wicklow; and if he will make a statement on the matter. [4551/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I propose to take Questions Nos. 50 and 62 together.

I launched new “Guidelines for Developing Textbook Rental Schemes in Schools” on the 28th January 2013. These Guidelines provide practical advice to primary and post-primary schools on how rental schemes can be established and operated. The aim of the Guidelines is to help as many schools as possible to start such book rental programmes. A special “Guide for Parents” was also published, to inform them of how the schemes operate and how parents can help schools to establish and run them. I have been very clear in my support for book rental schemes. All of us who are parents know how expensive textbooks can be and what a burden it places on already hard pressed families at the start of every school year. The Department will continue to provide a book grant as usual to all primary schools. This grant can be utilised for the purposes of updating or expanding a school’s existing book rental scheme.

I want to commend all schools that have used it to help build up book rental schemes over the years. Their efforts mean that the high costs of school books are being significantly reduced for parents. At my request, the National Parents’ Council surveyed the views of their members in relation to currently operating book rental schemes. Parents have reported that where book rental schemes operate, they are open to all parents in 95% of cases, and that the cost per child is under €40 per year in a considerable majority of schools. Perhaps most tellingly, the survey has found that 93% of parents believe that book rental schemes help with the costs of educating a child. Ensuring that book rental schemes are available to all parents must therefore clearly be our aim.

I understand that it feels unfair to those schools who have invested time and money to establish such schemes, that they now cannot benefit from the additional funding which was secured as part of the Budget. Of course it is unfair, but equally, the status quo was deeply unfair on

many parents. The parents who had no access whatsoever to book rental schemes needed more support. With the limited funding available, I believe that targeting this funding - to make sure that every parent in Ireland has access to some level of a book rental scheme - was the greatest good that could be achieved. The Department is contacting primary schools that do not currently operate a book rental scheme to advise them of the application process.

### **Departmental Agencies Staff Remuneration**

51. **Deputy Pearse Doherty** asked the Minister for Education and Skills the current salary of the director of the Teaching Council. [4461/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** The Director of the Teaching Council was appointed for a 5 year term in 2012 following a publicly advertised competitive interview process. The sanctioned salary for the Post is in line with the civil service Principal Officer (Higher) Scale (€85,127 - €103,976). The current Director is on secondment to the Teaching Council from the Department of Arts, Heritage and Gaeltacht. That Department continues to pay the salary linked to his substantive grade, which is civil service Director. The Teaching Council reimburses that Department in accordance with the approved level for the post of Director of the Teaching Council. Both the salary scale and the secondment arrangement are in accordance with the sanction from the Department of Public Expenditure and Reform.

### **Special Education Review**

52. **Deputy Michael McGrath** asked the Minister for Education and Skills his plans to hold a cross-sectoral forum involving his Department, the Health Service Executive and the National Council for Special Education regarding special education; if he will confirm details of same; and if he will make a statement on the matter. [4471/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to advise the Deputy that officials at my Department meet cross sectorally with officials from the Department of Health, the Health Service Executive, the Department of Children and Youth Affairs, and the National Council for Special Education, on a regular basis, in order to consider issues in relation to the provision of educational services for children with special educational needs. The purpose of such cross sectoral meetings is to enhance coordination and cooperation between the health and education sectors in planning for the education of children and related matters across a range of service areas.

### **School Transport Provision**

53. **Deputy Luke 'Ming' Flanagan** asked the Minister for Education and Skills further to Parliamentary Question No. 258 of 16 January 2013, if he will name his officials and their respective responsibilities who assisted him in answering same; the reason they made the decision to withhold the information; the entity that was commercially sensitive information and the reason for same; if he considered the implication of the definition of corruption under the Prevention of Corruption Act 2010 where wrongly withholding information or making misleading statements is a crime and failing to report crime is also a criminal offence under section 19 of the Criminal Justice Act 2011; and if he will make a statement on the matter. [4520/14]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):**

As the Deputy is aware, Bus Éireann, which operates the school transport scheme on behalf of my Department, is responsible for the negotiation and awarding of school transport contracts to private operators. The question referred to by the Deputy related to the costs of engaging a private bus contractor for the provision of a specific service. Bus Éireann has advised my Department that it does not disclose tender pricing on the basis that such details constitute commercially sensitive information and this was the basis of my reply to the question.

### **Schools Building Projects Status**

54. **Deputy Noel Coonan** asked the Minister for Education and Skills the position regarding an application for building works in respect of a school (details supplied) in County Tipperary; when he expects a decision to be made; and if he will make a statement on the matter. [4521/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I am pleased to inform the Deputy that construction of the project to which he refers commenced last July. Subject to no issues arising, it is envisaged that the project will be completed by the end of 2014.

### **Schools Building Projects Status**

55. **Deputy Noel Coonan** asked the Minister for Education and Skills the position regarding a school (details supplied) in County Tipperary that has applied for major capital funding; the timeframe for completion of works; and if he will make a statement on the matter. [4522/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that the school to which the Deputy refers has applied to my Department for large scale capital funding to provide a new extension. The current status of all projects on the school building programme, including the school in question, may be viewed on my Department's website at [www.education.ie](http://www.education.ie). In view of the financial constraints imposed by the need, as outlined in the Five Year Plan, to prioritise available funding for the provision of essential school accommodation to meet demographic demand, the Deputy will appreciate that it is not possible to indicate at this point when a major project for the school in question will be progressed.

### **Schools Building Projects Status**

56. **Deputy Noel Coonan** asked the Minister for Education and Skills the position regarding an application for funding from a school (details supplied) in County Tipperary; the status of the application; when a decision will be reached; and if he will make a statement on the matter. [4523/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I can confirm that the school to which the Deputy refers has applied to my Department for large scale capital funding to provide a new school building.

The current status of all projects on the school building programme, including the school in question, may be viewed on my Department's website at [www.education.ie](http://www.education.ie).

In view of the financial constraints imposed by the need, as outlined in the Five Year Plan, to prioritise available funding for the provision of essential school accommodation to meet demographic demand, the Deputy will appreciate that it is not possible to indicate at this point when a major project for the school in question will be progressed.

## Student Grant Scheme Representations

57. **Deputy James Bannon** asked the Minister for Education and Skills if an application for a Student Universal Support Ireland grant will be reconsidered in respect of a person (details supplied) in County Longford; and if he will make a statement on the matter. [4527/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** Officials in my Department have been informed by Student Universal Support Ireland (SUSI) that the reckonable income of the student referred to by the Deputy has been assessed in line with Article 22 of the Student Grant Scheme 2013 and that the student was awarded 100% Student Contribution.

I understand that his sister was not eligible for a grant due to the reckonable income exceeding the threshold for award of postgraduate fee grant or fee contribution. The Deputy will appreciate that the terms of the Student Grant Scheme are general in nature and exceptions cannot be made regardless of individual circumstances. Where an individual applicant considers that he has been unjustly refused a student grant, or that the rate of grant awarded is not the correct one, he may appeal, in the first instance, to SUSI. Where an individual applicant has had an appeal turned down in writing by SUSI and remains of the view that the scheme has not been interpreted correctly in his case, an appeal form outlining the position may be submitted by the applicant to the independent Student Grants Appeals Board. The relevant appeal form is available to download from [http://www.studentfinance.ie/downloads/1375344221/2013\\_SGAB\\_appeal\\_form.pdf](http://www.studentfinance.ie/downloads/1375344221/2013_SGAB_appeal_form.pdf).

## School Enrolments

58. **Deputy Michael McCarthy** asked the Minister for Education and Skills the enrolment policy of a school (details supplied) in County Louth; and if he will make a statement on the matter. [4531/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** It is the responsibility of the managerial authorities of all schools to implement an enrolment policy in accordance with the Education Act, 1998. In this regard a Board of Management may find it necessary to restrict enrolment to children from a particular area or a particular age group or on the basis of some other criterion. The criteria to be applied by schools in such circumstances are a matter for the schools themselves. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants. Under section 15 (2) (d) of the Education Act 1998, each school is legally obliged to publish its enrolment policy.

## FÁS Training Programmes Provision

59. **Deputy Michael McCarthy** asked the Minister for Education and Skills the reason driving courses were discontinued in the FÁS centre in Dundalk in 2012; and if he will make a statement on the matter. [4532/14]

**Minister of State at the Department of Education and Skills (Deputy Ciarán Cannon):** I am informed that following a comprehensive review of training programmes in what was then the FÁS North East Region in 2012 it was decided to discontinue driving courses. I am informed that this was due to there being no labour market demand with very few vacancies for commercial drivers being advertised. This continues to be the case. Through consultation with key stakeholders such as the Department Social Protection, it appeared that there is an oversupply of persons with commercial driving licenses.

The Department of Social Protection was already funding individuals who could make a business case that the training would lead to employment through the Technical Employment Support Grant. In addition, in follow up surveys where FÁS contacted individuals who had completed driving courses they were achieving very limited placement/transfer into employment.

SOLAS North East will continue to review the provision of courses and would welcome submissions from interested parties who can exhibit potential employment opportunities by linking it to the delivery of market led training courses.

### **Irish Language**

60. **Deputy Catherine Murphy** asked the Minister for Education and Skills if he considers the aonad/sruth at second level as representing full immersion in the Irish language for those who have gone through gaelscoileanna at primary level; if this is taken into consideration when determining the enrolment policy for second level gaelscoileanna; and if he will make a statement on the matter. [4542/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I am committed to making Irish medium education available at post-primary taking account of the demand for such provision in an area and the availability of resources. My Department will continue to identify areas where there is need for a new stand alone Irish medium post-primary school in accordance with a threshold of demand (i.e. 400 pupils) that is considerably lower than the equivalent for English-medium schools (i.e between 800 and 1,000 pupils).

Other options such as Irish language units (Aonad) and Irish language streams (Sruth) attached to an English medium school are considered in areas where the demand for Irish-medium education does not meet the threshold for a stand alone Irish medium school. The extent to which students are immersed in the Irish language in units and streams will be contingent on a number of interrelated factors such as support from management of the host school, the level of demand for Irish-medium instruction in the school, whole-school planning and the arrangements in place for the allocation of teaching resources.

In relation to a school's enrolment policy, it is the responsibility of the managerial authorities of all schools to implement an enrolment policy in accordance with the Education Act, 1998. This selection process and the enrolment policy on which it is based must be non-discriminatory and must be applied fairly in respect of all applicants. Under section 15(2)(d) of the Education Act 1998, each school is legally obliged to publish its enrolment policy.

The Deputy will be aware that I have recently published a draft General Scheme for an Education (Admission to Schools) Bill, 2013 as well as draft regulations for discussion ahead of enacting legislation. These are available on my Department's website. I have referred the draft proposals to the Oireachtas Joint Committee on Education and Social Protection, to allow a full public discussion of the proposed legislative framework, including inputs from parents, education partners and other stakeholders. I will be reflecting carefully on the views expressed in the consultation process to ensure the legislation strikes the right balance between school autonomy and fairness in our education system.

### **Gaelscoileanna Issues**

61. **Deputy Catherine Murphy** asked the Minister for Education and Skills if he has con-

sidered granting a temporary prefabricated classroom to a school (details supplied) in County Dublin in order to accommodate the 30 prospective students who will not be able to attain a place in September 2014, but who come from all-Irish primary schools in the north Kildare area; if he will provide details of the correspondence he has had with the school in question and with parents concerning this matter; the long-term solution available to expand capacity at second level gaelscoileanna, in particular this school; and if he will make a statement on the matter. [4543/14]

**Minister for Education and Skills (Deputy Ruairí Quinn):** I wish to advise the Deputy that my Department's overriding objective is to ensure that every child has access to a physical school place and that our school system is in a position to cater for increasing pupil numbers.

In June 2011, I announced that up to 40 new schools are to be established up to 2017 to cater for increasing demographic demand across a number of locations. These consist of twenty new primary schools and twenty new post-primary schools, including a new post primary school for Maynooth which will assist in servicing enrolment demand in North Kildare. The announcement included the provision of an Aonad in the Maynooth school. In addition, my Department has confirmed, that if sufficient demand for education through the medium of Irish in the Aonad is demonstrated over a four year cycle, consideration will be given by my Department to the establishment of an independent Gaelcholáiste.

Maynooth Community College, which will open in September 2014, includes an Aonad. My Department has confirmed that the Aonad has capacity to cater for those students referred to by the Deputy. Kildare and Wicklow ETB is currently progressing the building of a new education campus through the planning process and this will provide permanent accommodation for the school. The school referred to by the Deputy has not submitted an application for additional accommodation to my Department and I understand that it has no plans to expand its current capacity at this time.

*Question No. 62 answered with Question No. 50.*

### **Public Procurement Contracts**

63. **Deputy Andrew Doyle** asked the Minister for Public Expenditure and Reform if there is an up to date pro forma Public Works Contract for minor works; and if he will make a statement on the matter. [4418/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** All policy, guidance and implementation measures relating to capital projects is published on the Construction Procurement Reform website [www.constructionprocurement.gov.ie](http://www.constructionprocurement.gov.ie) where the Capital Works Management Framework provides a suite of best practice guidance, standard contracts and generic template documents are available to download for all contracting authorities to provide a consistent approach to the management of public works projects.

The Capital Works Management Framework (CWMF) was introduced on a phased basis from 2007 and became mandatory for all contracting authorities through the issue of Department of Finance Circular 06/10 on 5 May 2010. The documents are updated and augmented where appropriate to respond to new developments in the industry and changes in the regulatory environment.

A number of standard CWMF contracts may be used for minor works and the current and archived versions are available to download from the above website. The Short Public Works Contract (PW-CF6 - current version v1.7 27/01/2014) is generally used for Employer-designed

projects whose value is less than €500,000 (including VAT). The Minor Works Contract (PW-CF5 - current version v1.8 27/01/2014) is appropriate where the project is relatively straightforward and the value of the construction contract (including VAT) is greater than €500,000 and less than €5 million. A new framework agreement (version 1.0 12/12/2013) was developed for use with the Term Maintenance and Refurbishment Contract (PW-CF11 - current version 1.1 12/12/2013) and published on the website in December 2013. The Term Maintenance and Refurbishment Contract and framework agreement may be used to address urgent maintenance requirements or where certain types of planned maintenance and refurbishment and small works are envisaged.

### **Public Procurement Contracts**

64. **Deputy Andrew Doyle** asked the Minister for Public Expenditure and Reform if any of the public works contracts have any reference to any national collective agreement; and if he will make a statement on the matter. [4419/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** The Capital Works Management Framework (CWMF) public works contracts include a clause on Pay and Conditions of Employment which requires all those employed on the works to be paid in accordance with all applicable law. The following reference is made in relation to payment and conditions of employment of workers:

The Contractor shall ensure that the rates of pay and the conditions of employment, including pension contributions, comply with all applicable law and that those rates and conditions are at least as favourable as those for the relevant category of worker in any employment agreements registered under the Industrial Relations Acts 1946 to 2004.

In May 2013, the Supreme Court struck down as unconstitutional the framework for the registration of employment agreements as provided for in the 1946 Industrial Relations Act. Prior to the Supreme Court decision, Registered Employment Agreements could be enforced by statute and proceedings brought against employers who failed to comply with these requirements. However, until such time as a mechanism is developed that addresses the Constitutional issues raised by the Supreme Court, collective agreements may only be enforced by the parties to the agreement.

In light of the Supreme Court decision, my Department considered the references in the Pay and Conditions of Employment clause in the public works contracts and is satisfied that no amendments are necessary to the clause.

### **Building Regulations Compliance**

65. **Deputy Kevin Humphreys** asked the Minister for Public Expenditure and Reform in respect of capital building projects under the remit of his Department and the building programmes planned for 2014, if he will outline the impact the new building control regulations 2013, that come into effect on 1 March, will have on the costs of each specific project; if he will list the projects under way; the extra costs that will be incurred on each project due to increased professional fees and increased supervision; and if he will make a statement on the matter. [4371/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** The impact of the new Building Control (Amendment) Regulations, which come into

effect on 1 March 2014, should strengthen and improve compliance with Irish Building Regulations.

A statutory certification of building design and site construction will be required for the first time. When one considers the problems encountered in well publicised non-compliant projects, the additional work needed to carry out the new statutory certification can be seen to be suitable and appropriate.

The new process will include certification of design and construction through the lodgement of compliance documentation, mandatory inspections during construction and the validation and registration of certificates.

The new statutory requirements apply to projects for which commencement notices are submitted on and after 1 March 2014. In this regard public construction projects which are currently underway or which are validly commenced prior to 1 March 2014 will be unaffected by SI No. 9 of 2014. Projects for which tender documents are currently being produced will be advertised having regard to the new statutory requirements comprehended by SI No. 9 of 2014 and the contract price will be determined by competitive tender in line with normal arrangements. Projects for which contractual arrangements have previously been entered into but which have not yet commenced will now have to take on board the additional requirements of SI No. 9 of 2014. The suite of public works contracts and conditions of engagement as set out in the Capital Works Management Framework, provides context for addressing the additional statutory requirements and the associated costs. As part of the competitive process for each project, the standard conditions of engagement require consultants to submit rates for time charges and these tendered rates are evaluated before appointment. The submitted rates will provide the basis for reimbursement for any additional services required from the consultants arising from the requirements of S.I. 9 of 2014. The additional cost arising for each project will depend on the particular specifics of that project.

The new measures should ensure compliance with minimum building control standards and significantly reduce the incidences of defective building works and the very significant costs that go with carrying out remedial works.

Where the OPW is undertaking the design and site supervision of projects through its own staff, there will be no additional cost to those projects.

### **Flood Prevention Measures**

66. **Deputy Billy Kelleher** asked the Minister for Public Expenditure and Reform the names and contact details of the consultants appointed to address flooding in Glanmire, County Cork, the terms of reference; the time scale for carrying out the works; and if he will make a statement on the matter. [4401/14]

67. **Deputy Billy Kelleher** asked the Minister for Public Expenditure and Reform if funding has been allocated for the preparation of a report and carrying out of works to ensure that a recurrence of the June 2012 flooding will not happen; and if he will make a statement on the matter. [4402/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** I propose to take Questions Nos. 66 and 67 together.

A Flood Relief Scheme for Glanmire and Sallybrook is currently being advanced by Cork County Council with funding to be provided by the Office of Public Works (OPW). It is un-

derstood that the Council has signed a contract for consultants in the last two weeks to take the development of a scheme forward through design, planning and construction. Cork County Council would be the appropriate body to provide contact details of the appointed consultants.

The consultants will be expected to develop a number of flood relief options, identify a preferred scheme and to develop a fluvial flood forecasting system, if it is feasible. Subject to a viable scheme emerging, the consultants will be charged with bringing the scheme through a public consultation stage, either through the planning process or through the Arterial Drainage Acts. If such a scheme is well received, then it will be followed by detailed design, procurement of a works contractor and construction.

While it is too early to say when a scheme will go to construction, it is expected that a preferred scheme will be brought forward to public consultation before the end of this year. The OPW has made provision for the costs of a scheme in its multi-annual budget profiles, but such funding will be subject to review depending on actual budget allocations.

Following flooding in Glanmire in June 2012, Cork County Council applied for funding under the OPW's Minor Flood Works Scheme for river cleaning works in order to provide some hydraulic improvement on the Glashaboy River. The application was approved and Cork County Council subsequently availed of funding in the amount of €32,871. The implementation of these works is a matter for Cork County Council, but it is the understanding of the OPW that the works have been completed.

### **Coastal Protection**

68. **Deputy Tom Fleming** asked the Minister for Public Expenditure and Reform further to Parliamentary Question No. 120 of 16 January 2014, if he will examine a copy of a document and map (details supplied) that clearly acknowledges the responsibility of the Office of Public Works for the old Land Commission schemes; and if he will make a statement on the matter. [4447/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** The Office of Public Works does not have legal responsibility for maintenance of former Land Commission embankments. There is no question of the OPW failing in its responsibilities in this regard therefore. The document provided by the Deputy has no statutory basis and originated from a meeting between OPW and Kerry County Council in 2007.

Following the abolition of the Land Commission, a Public Trustee administers a fund that was intended to provide for maintenance of the former Land Commission embankments. In practice, however, there is little, if any, funds remaining for maintenance of any of these structures. Maintenance works have in some places been carried out on these embankments by the relevant landowners.

It is a matter for Kerry County Council in the first instance to assess coastal protection issues in the locations concerned.

It is open to the Council to submit applications for works under the OPW Minor Flood Mitigation Works & Coastal Protection Scheme for these locations. If applications are received, they will be considered in light of the Scheme criteria and having regard to the overall availability of resources for flood risk management.

The OPW has written to City and County Managers in coastal counties indicating it will accept applications under its Minor Flood Mitigation Works & Coastal Protection Scheme for

repairs to built flood defences and coastal protection structures which have been damaged by the recent storms. This is a once-off measure to reinstate built coastal defences to their pre storm condition. The specific application form for this is entitled Coastal Storm Flooding Damage Questionnaire 2014 and is available on OPW's website [www.opw.ie](http://www.opw.ie) under Flood Risk Management.

### **Flood Prevention Measures**

69. **Deputy Jerry Buttimer** asked the Minister for Public Expenditure and Reform the measures being taken by the Office of Public Works to put in place flood alleviation measures at Togher County Cork; and if he will make a statement on the matter. [4534/14]

**Minister of State at the Department of Public Expenditure and Reform (Deputy Brian Hayes):** A Flood Relief Scheme for Douglas and Togher is currently being advanced by Cork County Council with funding to be provided by Office of Public Works (OPW). It is understood that the Council has signed a contract for consultants in the last two weeks to take the development of a scheme forward through design, planning and construction.

While it is expected that a new culvert will be the preferred option for Togher, the consultants will be expected to validate outputs to date from the Lower Lee Catchment Flood Risk Assessment and Management (CFRAM) Study. The Togher proposal, along with the emerging preferred scheme for Douglas, is expected to be brought forward to public consultation before the end of 2014, either through the planning process or the Arterial Drainage Acts.

If such a scheme is well received, then it will be followed by detailed design, procurement of a works contractor and construction. OPW has made provision for the costs of a scheme in its multi-annual budget profiles, but such funding will be subject to review depending on actual budget allocations.

### **EU Solidarity Fund**

70. **Deputy Tom Fleming** asked the Minister for Public Expenditure and Reform if a submission has been made to the EU for solidarity funds and any other EU disaster funds for remedial work to the billion of euro devastation to our coastal regions and private property damage, in the recent storms; the status of this submission; and if he will make a statement on the matter. [4562/14]

**Minister for Public Expenditure and Reform (Deputy Brendan Howlin):** On 16 January 2014, my colleague, the Minister for the Environment, Community and Local Government, reported to the House on the recent severe storm damage. In that context, he advised the House that the Government is exploring all possible sources of funding to meet the costs which have arisen from the storm damage, including a possible application under the EU Solidarity Fund. He said that any Government decision on an application to the fund will be made once the full cost of damage has been assessed. Minister Hogan is due to report back to Government next month.

### **Building Regulations Application**

71. **Deputy Kevin Humphreys** asked the Minister for Jobs, Enterprise and Innovation in respect of capital building projects under the remit of his Department and the building programmes planned for 2014, if he will outline the impact the new building control regulations

2013, that come into effect on 1 March, will have on the costs of each specific project; if he will list the projects under way; the extra costs that will be incurred on each project due to increased professional fees and increased supervision; and if he will make a statement on the matter. [4369/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** In my Department the following Programme for Research in Third Level Institutions (PRTLTI) capital building projects are underway:

Project	Estimated Exchequer capital building cost (€)	Status of project at 30/09/2013 (see note below)
Dublin Institute of Technology (DIT) - Environmental Health Sciences Institute (EHSI)	8.29m	Planning stage
Dublin City University (DCU) Nano-BioAnalytical Research Facility (NRF-TRH)	9.29m	Under construction
National University of Ireland Maynooth (NUIM) - ICT Infrastructure	4.27m	Under construction
National University of Ireland Maynooth (NUIM) - Innovation Value Institute (IVI) – Phase II	1.12m	Under construction
University College Cork (UCC) - Environmental Research Institute at the Maritime & Energy Cluster, Ireland (ERI @ MeRC)	7.5m	At tender stage
UCC – Food & Health	0.45m (refurbishment)	At tender stage
University College Dublin (UCD) – Science Centre	34.3m	3 buildings; 2 complete; 1 at planning stage
University of Limerick (UL) - National Centre for Applied Materials Research (NCAMR)	8.2m	Under construction

*Note: Quarterly Financial Reports (QFRs) to end December 2013 will not be available until end February 2014).*

Enterprise Ireland is expecting building works to take place works in two locations in 2014; the National University of Ireland Maynooth (NUIM) and the DIT Grangegorman Campus. The building works being undertaken at NUIM includes an Enterprise Ireland Incubator Unit with a budgeted cost of €1.25 million.

It is not possible for me to comment on the impacts of the Building Control regulations 2013 which have yet to take effect or to give detail of extra costs, if any, that might be incurred on projects as a result of the legislation. It should be noted, however, that Exchequer liability on all PRTLTI capital projects is limited to the formal approved amounts. Any subsequent costs additional to those approved are borne by the Higher Education Institution (HEI) to whom the

funding has been awarded. Likewise, in the case of building works relating to Enterprise Ireland, any changes in Building Control regulations and any associated cost will be borne by the college with no increase in award amount being provided by Enterprise Ireland.

In so far as IDA Ireland is concerned, consultant appointments are awarded based on a competitive tender on a fixed fee basis which include in the scope of service a requirement to address all and any regulatory requirements. At present IDA Ireland has two capital projects for Athlone and Waterford which are in the final phase of tender and it is expected that commencement notices will issue in advance of 1 March 1 2014.

### **Work Permit Criteria**

72. **Deputy Michael Creed** asked the Minister for Jobs, Enterprise and Innovation further to Parliamentary Question No. 322 of 21 January 2014, if he envisages the number of work permit renewals to non-EEA nationals in the meat processing sector will drop in the coming years in view of the training programme in this area being rolled out in 2014; and if he will make a statement on the matter. [4390/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Since 2004, Irish labour market policy has been to ensure that general labour and skills needs are met from within the workforce of the European Union. Policy in relation to applications for employment permits continues to focus on facilitating the recruitment from outside the European Economic Area of highly skilled personnel, where the requisite skills cannot be met by normal recruitment or by training.

Ireland's employment permit system is designed to react to changing labour market conditions and the criteria and eligibility for employment permits are reviewed accordingly and take into account initiatives underway in the education sector. Employment permit renewals are normally granted subject to the terms and conditions of the original employment permit being met, including salary level and the condition that the employee continues to work for the same employer.

As I indicated in my answer of 21 January, there is a cohort of permit holders already working and integrated in the State that is eligible to apply for renewal of the permit when it falls due. It is not possible to predict how many of these will seek to renew their permits but I am confident that the numbers, per my answer on 21 January, will remain small. The Government's aim in addressing the skills gap in the meat sector through the training programme being developed by my colleague, the Minister for Education and Skills under the auspices of Skillnets, is to ensure that there is an adequate supply of skilled Irish and EEA nationals available to employers in the Irish meat sector, so as to obviate the need for new permits to be issued in this sector in future.

### **Prompt Payments**

73. **Deputy Terence Flanagan** asked the Minister for Jobs, Enterprise and Innovation the position regarding small and medium enterprise credit (details supplied); and if he will make a statement on the matter. [4393/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Prompt Payments for goods and services rendered is critical to the effective working of any economy and is an issue on which this Government places great emphasis. In an effort to help ease cash

flow difficulties for Irish small businesses operating under the current economic environment, while at the same time, setting an example for businesses in the private sector to improve their payment record by paying each other more promptly, Ireland has introduced, on a voluntary basis:

A 15 days prompt payment requirement for all central Government Departments to pay their business suppliers within 15 days of receipt of a valid invoice. This arrangement applies to all valid invoices received on or after 15 June 2009;

A similar arrangement has now being extended beyond central Government Departments to our State Agency Sector to include the Health Service Executive, the Local Authorities, State Agencies, and all other Public Sector Bodies, (with the exception of the Commercial Semi-State bodies). These new arrangements apply in respect of valid invoices received on or after 01 July 2011.

The Late Payment Directive that established EU law in the area of prompt payments was originally introduced in 2000 and was recast in 2011 to modernise the law in this area. The Recast Directive (2011/7/EU) came into effect across the EU on 16 March 2013. The issue of prompt payment is now covered in Irish law by the European Communities (Late Payment in Commercial Transactions) Regulations 2012 (S.I. No. 580 of 2012).

This legislation will act as a deterrent to late payment and as a driver for payment on time by establishing a clear expectation in law that payment will be made according to agreed terms. It lays down the specific deadlines for the payment of invoices and establishes a right to compensation in the event of late payment in all commercial transactions, whether they relate to transactions between private or public undertakings, or between undertakings and public authorities.

The Regulations specifically provide that Public Authorities must pay for goods and services that they procure within 30 days. Payment can be extended up to 60 days only if it is “expressly agreed” and justified in light of the nature or feature of the contract.

For business to business transactions, where no contract exists, the payment period is set at 30 days. Where a contract stipulating the payment period does exist, normally such a period should not exceed 60 calendar days unless both parties agree otherwise and providing it is not “grossly unfair” to the creditor. For small businesses in particular, this contractual freedom to agree payments terms is vital as it provides protection when negotiating payments terms with larger companies.

Any harmonisation of payment periods for business to business transactions could lead to a loss of flexibility and contractual freedom by removing the ability of companies, especially SMEs, to compete with payment periods offered to customers. This in turn could put more pressure on other aspects of contract negotiation where larger companies can still exercise significant influence over small companies.

## **Industrial Disputes**

74. **Deputy Andrew Doyle** asked the Minister for Jobs, Enterprise and Innovation if there is any relevant national collective agreement in place which is a legally binding collective agreement between the Technical Engineering and Electrical Union, TEEU, and any other party including local authorities and the health service for public works contracts; and if he will make a statement on the matter. [4421/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** In the judge-

ment delivered on 9 May 2013 in *McGowan and others v The Labour Court, Ireland and the Attorney General*, the Supreme Court held that Part III of the Industrial Relations Act 1946 was invalid having regard to Article 15.2.1 of the Constitution. That Article provides, in effect, that the exclusive power to make laws is vested in the Oireachtas. The Supreme Court took the view that Registered Employment Agreements (REAs) are instruments having the status of laws made by private individuals. While the Constitution allows for the limited delegation of law making functions, the provisions of the 1946 Act went beyond what is permissible under the Constitution.

The effect of this decision is to invalidate the registration of employment agreements previously registered under Part III of the 1946 Act, including the REA for the Electrical Contracting Sector, to which the TEEU was a party. In consequence the Labour Court no longer has jurisdiction to enforce, interpret or otherwise apply these agreements. As a result, all such agreements no longer have any application beyond the subscribing parties and are not enforceable in law. However, existing contractual rights of workers in sectors previously covered by REAs are unaffected by the ruling. Contractual rights can be altered only by agreement between the parties involved.

The Supreme Court judgment is clearly an important issue for many employers and their employees, particularly in relation to rates of pay and tendering for contracts. Having considered legal advice from the Attorney General on the implications of the ruling, I intend to bring forward legislation to address the ruling as soon as possible. Such legislation will be fully informed by the Court's judgment and will provide for a revised framework to deal with those matters.

### **Third Level Fees**

75. **Deputy Arthur Spring** asked the Minister for Jobs, Enterprise and Innovation if he considers it necessary that an exemption from international student fees should be given to children of an Irish person working for an Enterprise Ireland assisted company who has been required to live outside the EU for more than three of the past five years in an attempt to grow the company. [4529/14]

**Minister for Jobs, Enterprise and Innovation (Deputy Richard Bruton):** Enterprise Ireland supports companies to grow and scale and achieve international sales. This often involves senior employees spending a number of years in overseas market outside of the EU. Developing markets outside of the EU is core to the Strategy on Trade, Tourism and Investment. Enterprise Ireland would encourage policy initiatives that would support companies to encourage high performing business development executives to lead their company's initiatives overseas. However, consideration would have to be given to the legalities of any policy that would be directed exclusively at the employees or directors of Enterprise Ireland clients.

### **Exceptional Needs Payment Applications**

76. **Deputy Bernard J. Durkan** asked the Minister for Social Protection further to Parliamentary Question No. 113 of 22 January 2014, if an additional exceptional needs payment will issue in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [4343/14]

**Minister for Social Protection (Deputy Joan Burton):** According to the records of this Department there are currently no applications pending for an exceptional needs payment in the

case of the person concerned. It is open to the person concerned to make such an application to her local Community Welfare Service.

### Social Welfare Benefits

77. **Deputy Kevin Humphreys** asked the Minister for Social Protection the reason a person (details supplied) in Dublin 2 who is married with one child is worse off on a community employment scheme than if he were just drawing jobseeker's allowance; and if she will make a statement on the matter. [4345/14]

**Minister for Social Protection (Deputy Joan Burton):** The person concerned has completed 221 weeks to date on Community Employment (CE) and is currently a participant on Sandymount CE Scheme.

Prior to his commencement on Community Employment he was in receipt of Job Seekers Allowance to the value of €342.60 with additional Fuel allowance of €20.00 which totals to €362.60 per week.

The calculation of his entitlement on CE is as follows:

-	<b>Total</b>
Participant	€208.00 (= €188 + €20 CE Bonus)
+ Adult Dependant	€124.80
+ 1 Child Dependant	€29.80
CE Payment	€362.60 (outside of fuel season)
+ €20.00 for the Fuel Season	€20.00
Currently receiving	€382.60 (during fuel season)

Therefore, the person concerned is in receipt of the €20.00 CE Participation bonus and is receiving €20 more than the equivalent Jobseeker's Allowance for his family circumstances.

The Department reviewed the changes on Community Employment and other programmes following the passing of the Social Welfare Act 2012. As participants on CE are employees of schemes, CE sponsors are obliged to pay PRSI at the appropriate class (A8/A9).

For the majority of CE participants who are earning €352.00 or less, there will be no change as the 0% Class A8 rate of Employees PRSI applies. However, the change will affect CE participants who earn in excess of €352 per week. These participants are now subject to the revised Class A9 rate of Employees PRSI and will pay 4% on the total income (the €127 disregard has been abolished under Section 6 of the above Act). For those CE participants their income will be amended accordingly.

PRSI bands are applied on this basis to all persons in employment, including those on CE schemes and the payment carries the same benefits and entitlements under PRSI for all.

The potential advantage to the CE participant outside of the financial impact as outlined above in taking up a CE place, is access to funding for education and training and the opportunity to pursue a FETAC Major Award. This combined with the work experience will greatly enhance the opportunity to gain employment and exit the Live Register.

## Social Welfare Appeals Delays

78. **Deputy Charlie McConalogue** asked the Minister for Social Protection the reason for the delay in issuing a decision on a social welfare appeal in respect of a person (details supplied) in County Donegal; and if she will make a statement on the matter. [4357/14]

**Minister for Social Protection (Deputy Joan Burton):** I am advised by the Social Welfare Appeals Office that an Appeals Officer, having fully considered all of the available evidence, has decided to partially allow the appeal of the person concerned by way of a summary decision. The person concerned was notified of the Appeals Officer's decision in writing on 27th January 2014.

There has been a rapid and sustained increase in the number of appeals received in the Social Welfare Appeals Office since 2009 which has placed extraordinary pressure on the office. Up to 2009, the average number of appeals received was 15,000 per annum whereas in 2012 and 2013 the number of appeals received was 35,484, and 32,777 respectively. In order to manage this increased workload significant resources and efforts have been put into reducing backlogs and improving appeals processing times for appellants, including the assignment of 15 additional Appeals Officers, in addition to 10 former Community Welfare Service Appeals Officers who joined the office in 2011, bringing the total number of Appeals Officers to 41; reviewing and improving businesses processes; and implementing a new operating model within the appeals office. A major programme of process redesign and modernisation is also under way in the Department in many of its scheme areas aimed at reducing backlogs and reducing the time taken in the Department to respond to requests from the appeals office for submissions in relation to appeals.

These efforts have led to improvements in processing times. In 2011 the average processing time for an appeal requiring an oral hearing was 52.5 weeks and 25.1 weeks for a summary decision. In 2013 the equivalent average appeal processing times were 33.9 weeks for an oral hearing and 25.8 weeks for a summary decision. There has also been an improvement in the numbers of appeals finalised from 32,558 in 2012 to 38,421 in 2013. The number of appeals on hands has also reduced - from 20,414 at the 1st January 2013 to 14,770 at 1st January 2014.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

*Question No. 79 withdrawn.*

## Invalidity Pension Applications

80. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the progress to date in respect of an application for invalidity pension in the case of a person (details supplied) in County Waterford; and if she will make a statement on the matter. [4377/14]

**Minister for Social Protection (Deputy Joan Burton):** Invalidity pension (IP) is a payment for people who are permanently incapable of work because of illness or incapacity and who satisfy the contribution conditions.

A claim for IP for the person concerned received on 16 August 2011 was refused on the grounds that the claimant was considered not to satisfy the medical criteria.

A further claim for IP was received for the person concerned on 22 November 2013. In order

to establish medical suitability, a diagnostic report issued to the applicant on 16 December 2013 to be completed by his general practitioner or other treating physician. To date the diagnostic report has not been returned. It is important that the claimant return this report to ensure that Department has all relevant and up-to-date supporting medical evidence when deciding his claim.

On receipt of the completed report (and supporting evidence, if applicable) the eligibility of the person in question will be determined and they will be notified by a deciding officer of the decision.

### **Jobseeker's Allowance Payments**

81. **Deputy Bernard J. Durkan** asked the Minister for Social Protection if she will review the amount of jobseeker's allowance payable in the case of a person (details supplied) in County Kildare; and if she will make a statement on the matter. [4406/14]

**Minister for Social Protection (Deputy Joan Burton):** The jobseeker's allowance claim of the person concerned has been reviewed. Arrears due will be included in the payment of 30 January 2014.

*Question No. 82 withdrawn.*

### **Rent Supplement Scheme Applications**

83. **Deputy Bernard J. Durkan** asked the Minister for Social Protection the progress to date on an application for rent support in the case of a person (details supplied) in County Kildare on foot of further information submitted to the section on 6 January 2014; and if she will make a statement on the matter. [4426/14]

**Minister for Social Protection (Deputy Joan Burton):** The rent supplement claim for this client has been reassessed, accordingly arrears will be paid at the end of this month.

### **Carer's Allowance Appeals**

84. **Deputy Paul J. Connaughton** asked the Minister for Social Protection when a decision will be made on an appeal relating to an application for carer's allowance in respect of a person (details supplied) in County Galway; and if she will make a statement on the matter. [4481/14]

**Minister for Social Protection (Deputy Joan Burton):** The Social Welfare Appeals Office has advised me that an appeal by the person concerned has been referred to an Appeals Officer, who will make a summary decision on the appeal based on the documentary evidence presented or, if required, hold an oral hearing.

The Social Welfare Appeals Office functions independently of the Minister for Social Protection and of the Department and is responsible for determining appeals against decisions in relation to social welfare entitlements.

### **National Internship Scheme Administration**

85. **Deputy Martin Heydon** asked the Minister for Social Protection her views on the ad-

vertising of jobs under the JobBridge scheme whose minimum criteria include the attainment of a PhD; if this is in keeping with the spirit of the scheme; her plans to review such activities; and if she will make a statement on the matter. [4485/14]

**Minister for Social Protection (Deputy Joan Burton):** JobBridge is giving opportunities to jobseekers across the spectrum of qualifications. Participation on the scheme is voluntary. Given the numbers of unemployed jobseekers holding graduate and post-graduate qualifications, it is obviously necessary that JobBridge is in a position to offer them an internship that reflects their abilities, aspirations and qualifications. In this regard a previous criticism directed at the Department was that the terms of its jobseeker payments prevented jobseekers, including graduate jobseekers, from taking up internship opportunities as a route into employment. JobBridge addresses this issue and I am satisfied that it is appropriate to do so.

The Department has a number of controls in place to prevent abuse of the scheme. These include requirements on host organisations to provide a mentor to the intern, to sign and operate a standard agreement, to submit regular monitoring reports to the Department and to co-operate with random monitoring visits. Over 4,400 monitoring visits have been conducted to date, 98% of which were found to be satisfactory. There are also limits placed on the number of internships that can be offered by any one organisation related to the number of staff employed by the company and there are restrictions on the repeat or sequential use of internships. I am satisfied based on the Department's own monitoring visits and the report of the independent evaluation that these controls are working effectively.

### **Domiciliary Care Allowance Appeals**

86. **Deputy Noel Coonan** asked the Minister for Social Protection when an application for the domiciliary care allowance will be finalised in respect of a person (details supplied) in County Tipperary; and if she will make a statement on the matter. [4525/14]

**Minister for Social Protection (Deputy Joan Burton):** An application for domiciliary care allowance was received on the 28th August 2013. The application was disallowed as the child was not considered to satisfy the qualifying conditions for the allowance and a letter issued on the 23rd September 2013 advising of the decision.

A review of this decision has been requested and additional information on this child's condition/care needs has been supplied. The review requires that the case be looked at by a further medical assessor. The person concerned will be notified of the outcome of this review as soon as it is completed.

### **Severe Weather Events Expenditure**

87. **Deputy Paul J. Connaughton** asked the Minister for Social Protection the moneys that were paid out to persons in County Galway relating to the flooding incident in 2009; the number of persons who applied for such funding; the number who were eventually successful; the amount of the funding that was allocated to the areas of Ballinasloe and Claregalway, respectively; and if she will make a statement on the matter. [4528/14]

**Minister for Social Protection (Deputy Joan Burton):** The Department of the Environment, Community and Local Government is the lead Department for severe weather emergencies and the Office of Public Works has responsibility for capital flood relief activities. However, the Department of Social Protection (DSP) has an important role to play in assisting households in the immediate aftermath of emergency events such as the flooding of November 2009, October 2011, June 2012 and that experienced during recent weeks.

A humanitarian assistance scheme was approved by Government in response to these floods. The scheme, which is means tested, is available to people whose homes were damaged in the flooding and who are not in a position to meet costs for essential needs, household items and, in some instances, structural repair as a result of the flooding damage.

To date a total of €2.2 million has been paid out under the humanitarian assistance scheme of which €660,000 has been paid in respect of some 1,200 claims in County Galway. Statistics are not available in relation to specific locations within the county, such as Ballinasloe or Claregalway, or in relation to the number of applicants who were unsuccessful with their claim.

The Government decided in December 2010 that this Department could hold a provision of up to €4 million to assist up to 20 households (in Galway, Roscommon and Offaly) who experienced severe flooding in November 2009 toward relocation costs. Contracts have been issued to the 20 customers who are eligible for relocation costs under the scheme and to date compensation totalling €1.5 million has been paid to 10 of these applicants who have complied with the conditions of the scheme. Nine of these customers live in Co. Galway.

Any person experiencing hardship as a result of flooding should contact their local DSP staff administering the supplementary welfare allowance scheme who may be able to offer assistance.

### **Turf Cutting Compensation Scheme Relocation Options**

88. **Deputy Luke 'Ming' Flanagan** asked the Minister for Arts, Heritage and the Gaeltacht his views on the relocation process from the special areas of conservation; and if he will make a statement on the matter. [4339/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** A total of 2,853 applications for compensation under the cessation of turf cutting compensation scheme have been received and acknowledged by my Department. Of these, 800 applicants have expressed an interest in relocation to non-designated bogs.

Relocation is a very complex process, in terms of investigating suitable sites for turf quality and quantity, the infrastructure/drainage works required, establishing the number that can be accommodated on the site, the cost and feasibility of land purchase or lease, and possible planning and Environmental Impact Assessment requirements. In that regard, Bord na Móna has assessed in the region of 100 potential relocation sites at the request of my Department. Bord na Móna has also commenced negotiations with landowners in relation to the purchase or long-term lease of sites.

Notwithstanding this complexity, progress in relocating turf cutters to non-designated bogs is being achieved in a number of cases.

Arrangements for the relocation of turf cutters to non-designated bogs have been made as regards a group from Clara Bog special area of conservation in County Offaly and a group from Carrownagappul Bog and Curraghlahanagh Bog special areas of conservation in County Galway. The group from Clara Bog commenced turf cutting at the relocation site in Killeranny, County Offaly, in June 2012, where 23 qualifying turf cutters have now been accommodated. Turf cutting for the 2013 season took place on this site in April last. My Department envisages that qualifying turf cutters from the group from Carrownagappul Bog and Curraghlahanagh Bog will be able to commence turf cutting in a relocation site from the 2014 turf cutting season.

Progress has been made with a view to the relocation of qualifying turf cutters from Bal-

lynafagh Bog special area of conservation in County Kildare to Timahoe North, County Kildare, which is in the ownership of Bord na Móna. My Department envisages that qualifying turf cutters from Ballynafagh Bog will be able to commence cutting in the relocation site during the 2014 turf cutting season, provided that final agreement is reached with them.

Progress has also been made with a view to the relocation of a small group of qualifying turf cutters from Ballynamona Bog and Corkip Lough special area of conservation in County Roscommon to Togher, County Roscommon, which is in the ownership of Bord na Móna. My Department envisages that this group of qualifying turf cutters will be able to commence cutting in the relocation site during the 2014 turf cutting season, provided that final agreement is reached with them.

I am advised that of the remaining 49 raised bog special areas of conservation, potential relocation sites have been identified for a further 33 bogs and work is ongoing on identifying and investigating sites. Relocation is unlikely to be required, or is likely to be small-scale, for another 16 raised bog special areas of conservation due, for example, to the small number that had been cutting turf on these sites during the relevant five year period and would qualify for the relocation option available under the cessation of turf cutting compensation scheme.

A payment of €1,500, index-linked, or a supply of 15 tonnes of cut turf per annum is available under the cessation of turf cutting compensation scheme to applicants while awaiting relocation to non-designated bogs.

### **Building Regulations Compliance**

89. **Deputy Kevin Humphreys** asked the Minister for Arts, Heritage and the Gaeltacht in respect of capital building projects under the remit of his Department and the building programmes planned for 2014, if he will outline the impact the new building control regulations 2013, that come into effect on 1 March, will have on the costs of each specific project; if he will list the projects under way; the extra costs that will be incurred on each project due to increased professional fees and increased supervision; and if he will make a statement on the matter. [4360/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The capital allocation to my Department's Vote Group encompasses a small number of building projects. A number of these projects are delivered by bodies/agencies within my Department's ambit, including the National Cultural Institutions, the Heritage Council, Údarás na Gaeltachta and Waterways Ireland or by the Office of Public Works on behalf of the Department or its agencies. As the Deputy is aware, the Regulations in question, which come into effect on 1 March, do not apply to projects which have already commenced. The impact of the Regulations on the costs of projects to commence after that date will be determined by market forces and the normal public procurement rules and cannot easily be anticipated at this time.

### **Earcaíocht san Earnáil Phoiblí**

90. D'fhiafraigh **Deputy Aengus Ó Snodaigh** den Aire Ealaíon, Oidhreacht agus Gaeltachta cén uair a líonfaidh sé an folúntas do Phríomh-Oifigeach sa Bhrainse Logaimneacha le duine ag a mbeidh na cáilíochtaí cuí mar thaighdeoir, ionas gur féidir leis an gCoiste Logaimneacha tuairiscí cruinne a fháil uaidh nó uaithi chun oibriú dá réir. [4376/14]

**Minister of State at the Department of Arts, Heritage and the Gaeltacht (Deputy Dinny**

**McGinley):** Oibríonn an Brainse Logainmneacha laistigh de Rannóg Gaeilge agus Gaeltachta mo Roinne. Tá beirt Ardoifigeach Logainmneacha agus Oifigeach Logainmneacha amháin fostaithe ar an bhfoireann taighde sa Roinn faoi láthair agus iad ag plé le clár oibre ar leith.

Mar is eol don Teachta, níl Príomhoifigeach Logainmneacha fostaithe ag an Roinn faoi láthair, ós rud é go bhfuil mo Roinnse ag feidhmiú faoi réir an choisc ar earcaíocht san earnáil phoiblí. É sin ráite, is cúis áthais dom a chur in iúl don Teachta go bhfuil an post seo a líonadh ar an mbonn gur post gníomhach a bheidh ann agus tá socruithe á gcur in áit chuige sin anois. Táim muiníneach go gcuirfidh sé seo an leibhéal riachtanach tacaíochta ar fáil don Choiste Logainmneacha.

### **Appointments to State Boards**

91. **Deputy John Halligan** asked the Minister for Arts, Heritage and the Gaeltacht his plans to appoint a new chairman to the Arts Council; considering the vast investment that individual local authorities make to the arts in their respective local areas from their annual budget, which in most cases is way in excess of the sum they receive from the Arts Council, and further considering that these local authorities have been appointing arts officers for more than 25 years, his views on whether representatives of these local authorities should be appointed to the board of the Arts Council; and if he will make a statement on the matter. [4388/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I am delighted to inform the House of the new Chairperson designate and members of the Arts Council, the State agency for funding and development of the Arts in Ireland. Across the range of artforms - from architecture to the visual arts - the Arts Council plays an extremely important role in supporting individual artists and arts organisations in their work. The arts sector - like every sector in Ireland - has had a challenging time in recent years. This year the Arts Council will receive almost €57M in funding from the taxpayer. The Chairperson designate and new members have a wealth of experience which will benefit the development of the arts in Ireland into the future.

**Ms Sheila Pratschke** was Director of the Centre Culturel Irlandais in Paris from 2007 to 2013, and is a former Director of the Tyrone Guthrie Centre from 2001 to 2007. She is also a former director of the Irish Film Institute. Ms Pratschke holds qualifications from UCD as well as a diploma in Applied and Fine Arts from IPAV.

**Dr. Éimear O'Connor** previously served on the Arts Council having been appointed on September 13th 2011. Dr. O'Connor HRHA received her PhD from University College, Dublin, and is an art historian specialising in Irish art, for which she has received several academic accolades. Dr. O'Connor was elected an Honorary Royal Hibernian Academician in 2010 for her contribution to the arts in Ireland.

**Ms Monica Spencer** is an actor, director and youth drama facilitator who is involved with the new Creative Communities Limerick Network. She is a facilitator of Céim Youth Probation Services and has a strong background in dance.

**Ms Miriam Dunne** has extensive experience in working with arts organisations, events and local authorities in Ireland. Ms Dunne has a particular interest in street theatre and circus and is currently Chairperson of AOIFE (the Association of Irish Festival Events).

**Mr. Brian Maguire** is a visual artist, educated at Dun Laoghaire School of Art and the National College of Art & Design. Mr. Maguire was appointed professor and head of the fine art faculty at NCAD in 2000 and is a member of Aosdána. His work is held in collections including the Irish Museum of Modern Art, Hugh Lane Municipal Art Gallery in Dublin, the Alvar

Aalto Museum in Finland, and the Gemeentemuseum in the Hague, Netherlands.

**Ms Joan Sheehy** has been acting professionally for almost 35 years. She has worked extensively with the Abbey Theatre, the Gate Theatre, and the Project Arts Centre in Dublin and Moscow, Leningrad, New York and the Almedia Theatre in London. Her film and Television productions include *Escape for Virgie* for Hill 16 Films, *The Stranger* for Thames TV, *Hard Shoulder*, *Ann Devlin*, *The Field*, *The Playboy of the Western World* for Channel 4, and *Into the West*, *Happy Birthday to Me*, and *Tales from the Poorhouse*.

The Arts Council is not a representative body wherein members represent their own organisations interests rather than that of the Council's statutory remit. The Arts Council is a Statutory Board and, therefore, the primary fealty of all members of the Arts Council must be to the Council.

Since the Local Authorities Arts Offices are funded in part by the Arts Council, there is of course also a potential conflict of interest.

For these reasons, I do not think it is appropriate to appoint a representative from the local authorities to the Arts Council. A corollary would be a request for Arts Council representation on each LA when its annual resources are being allocated across its areas of responsibility (roads, heritage, the arts, housing, etc).

### **Special Protection Areas Appeals**

92. **Deputy Dara Calleary** asked the Minister for Arts, Heritage and the Gaeltacht the exact number of appeals that have been received by his Department from landowners in the six designated special protection areas in County Donegal that were designated in 2011; the number of appeals which were successful; the number still under consideration; the timeframe involved; and if he will make a statement on the matter. [4403/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** My Department received 242 valid objections to these proposed designations. Five of these were fully successful, twelve were partly successful and the remainder were unsuccessful at Stage 1 of the appeals process. Fifty nine objectors have opted to take their cases to Stage 2 of the appeals process where their objections will be heard by the Designated Areas Appeals Advisory Board. I understand that the Board is arranging for these hearings to be held in the coming months.

*Question No. 93 answered with Question No. 23.*

### **Built Heritage Jobs Leverage Scheme Data**

94. **Deputy Michael McCarthy** asked the Minister for Arts, Heritage and the Gaeltacht the number of applications received to date under the built heritage jobs leverage scheme; if he will provide a county and regional breakdown of the projects for which applications have been made; and if he will make a statement on the matter. [4425/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The operation of my Department's *Built Heritage Jobs Leverage Scheme* in 2014 has been devolved to each local authority with allocations calculated by population size and number of protected structures in the geographical area served by each authority.

Applications from private individuals under the scheme are currently being accepted and

assessed directly by local authorities. I have requested that local authorities submit a list of applications to me for approval by the 28th February 2014. As I have not yet received these lists, the information requested by the Deputy is not yet available.

### **Heritage Week**

95. **Deputy Aodhán Ó Ríordáin** asked the Minister for Arts, Heritage and the Gaeltacht his plans for heritage week, particularly for involving the disadvantaged, Travellers, and new Irish communities over the week 23 to 31 August 2014; and if he will make a statement on the matter. [4433/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The annual Heritage Week, held each August, is co-ordinated by the Heritage Council. Heritage Week is designed to appeal to as broad an audience as possible and the promotional materials produced by the Council for the week aim to be inclusive of diversity. However, the programme of events depends largely on the choice of local communities.

I understand that the Council has reached out to involve new Irish communities during heritage week in the past, including by holding a number of events through the Polish language in Cork and by advertising in a Polish newspaper. Statistics produced for the Heritage Council regarding awareness of Heritage Week across demographic groups in 2013 show a broad level of awareness of the week across age, gender and socio-economic group.

### **Teaching Council of Ireland**

96. **Deputy Pearse Doherty** asked the Minister for Arts, Heritage and the Gaeltacht the gross amount reimbursed to his Department in 2013 by the Teaching Council in respect of the salary of the director of the Teaching Council. [4459/14]

97. **Deputy Pearse Doherty** asked the Minister for Arts, Heritage and the Gaeltacht the remuneration the current director of the Teaching Council receives from his Department after the reimbursement from the Department of Education and Skills is subtracted. [4460/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 96 and 97 together.

As the Deputy is aware, the current Director of the Teaching Council is an officer of my Department whose substantive grade is that of Director. During the period of his secondment to the Teaching Council, this officer continues to be paid in accordance with his substantive grade, which is in line with normal practice in such instances. The total salary paid to this officer in 2013 was €110,255 in respect of which my Department received a total of €98,550 by way of reimbursement from the Teaching Council of Ireland.

### **Architectural Heritage**

98. **Deputy Aodhán Ó Ríordáin** asked the Minister for Arts, Heritage and the Gaeltacht if he will investigate the possibility of preserving the Legion Hall in Killester in view of the anniversary of the commencement of the Great War this year; and if he will make a statement on the matter. [4468/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I refer the Deputy to my reply to Questions Nos. 388 and 400 of 21 January 2014.

### **Film Industry Promotion**

99. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he continues to maintain contact with the film making sector, with particular reference to encouraging the use of this country as a film location; and if he will make a statement on the matter. [4499/14]

100. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he and his Department had discussions with major international film makers in the context of the possible use of this jurisdiction as an internationally recognised film location; and if he will make a statement on the matter. [4500/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 99 and 100 together.

I refer also to my previous responses to the Deputy in these matters. As the Deputy is aware, primary responsibility for the support and promotion of film-making in Ireland, in respect of both the indigenous sector and inward productions, is a matter for the Irish Film Board (IFB). The IFB is the statutorily independent agency responsible for the promotion and development of the Irish film industry and I have no responsibility in relation to its day-to-day operational matters, including the allocation of resources to different support programmes and schemes. The IFB has been allocated €14.037m in 2014 to carry out its functions.

In regard to the number of films made with support by the IFB, I would direct the Deputy's attention to the annual reports of the IFB, which are lodged periodically in the Oireachtas Library, and also to the publications by the IFB itself on its website [www.irishfilmboard.ie](http://www.irishfilmboard.ie).

It is difficult to predict with certainty the number of films that will be made in the future. However, consultations between my Department, the IFB and the Department of Finance has resulted in a number of changes to Section 481 of the Taxes Consolidation Act, 1997 (Film Tax Relief Scheme) to ensure that Ireland retains or regains competitiveness in attracting foreign film projects to Ireland.

The scheme was extended to the end of 2020 in the 2013 Finance Act and further changes were announced by the Minister for Finance in his budget speech. The budget announcement brings forward the new regime for film tax reliefs to 2015, and also extends the definition of 'eligible individual' in the scheme for film relief to include non-EU talent. This will increase the attractiveness of Ireland as a destination for film investment and allow the audiovisual production sector to maintain existing jobs and hopefully create new ones.

### **Arts Funding**

101. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which his Department directly and-or indirectly has assisted local community annual festival groups in 2013; the degree to which this might be possible in the current year; and if he will make a statement on the matter. [4501/14]

102. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the number of applications for financial grant aid received by his Department or bodies under its

aegis from local community groups such as musical and dramatic societies, cultural groups and annual events in 2013; the number that have been successful; the extent to which it is expected to favourably respond to such applications in the current year; and if he will make a statement on the matter. [4502/14]

103. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the number of successful applications for grant aid received by his Department or bodies under its aegis from local community groups, musical or dramatic societies or annual event organisers in County Kildare in 2013; the extent to which it was found possible to offer assistance; the possibility of further assistance in the current year; and if he will make a statement on the matter. [4503/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 101 to 103, inclusive, together.

The Government's policy on the arts is to promote and strengthen the arts in all its forms, to increase access to and participation in the arts, and to make the arts an integral and valued part of our national life. I am continuing to work towards this goal with my Department and the agencies within its remit and I remain committed to securing the best possible level of funding for the arts sector.

The Deputy will be aware that responsibility for the promotion of the arts at all levels throughout the country is primarily devolved to the Arts Council. Under the Arts Act 2003, the Arts Council is statutorily independent in its day-to-day operations and my Department has no role to play in its executive or funding decisions. Full information on the Council's funding decisions is made available on their funding decisions database on their website [www.artscouncil.ie](http://www.artscouncil.ie).

Within the current economic constraints, investment in the arts, heritage, culture and creative sectors is more important than ever, having regard to the employment intensity of these sectors. While I know that the Deputy appreciates the funding difficulties facing all Departments at this time, I can assure him that I remain committed to securing the best possible level of funding for these sectors. The specific allocations to be made over the current year will, of course, be dependent on my Department's budgetary position as the year progresses. Details of all grant payments made in 2013 will be published on my Department's website in due course.

*Questions Nos. 104 and 105 answered with Question No. 17.*

### **Special Areas of Conservation Designation**

106. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht in the wake of his considerable efforts to achieve a resolution of issues relating to traditional turf cutters at various bogs throughout the country and recognising his welcome proposals in respect of natural heritage areas, NHAs, if he has sought approval or intends to seek approval from the European Commission to relocate some of the more sensitive special areas of conservation, SACs, to adjoining acceptable sites with reference to particularly sensitive areas where traditional turf cutting has continued without interruption for many years; and if he will make a statement on the matter. [4506/14]

107. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he has received a response from those affected by national heritage areas and special areas of conservation at various turf cutting locations throughout the country; and if he will make a statement on the matter. [4507/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 106 and 107 together.

My Department has initiated a public consultation process on the three documents - the draft National Peatlands Strategy, the draft National Raised Bog Special Areas of Conservation (SAC) Management Plan and the Review of Raised Bog Natural Heritage Areas (NHAs), which I published recently. Copies of these documents are available on my Department's website at [www.ahg.gov.ie/en/Publications](http://www.ahg.gov.ie/en/Publications). Written submissions are invited until 18 April.

In general, turf-cutting on raised bog SACs is incompatible with their conservation and will not be possible in future. There are some exceptions which are dealt with in the draft National Raised Bog SAC Management Plan.

De-designation of SACs is legally possible only in very limited circumstances, as provided for in the EU Habitats Directive. The draft National Raised Bog SAC Management Plan explores the possibility of using the limited flexibility within the terms of the Habitats Directive for continued turf-cutting on a small number of raised bog SACs where relocation possibilities are shown not to exist. In such a case, a robust case would need to be submitted to the EU Commission under Article 6(4) of the Habitats Directive and compensatory measures provided to make up for any damage to the SAC network.

However, it has not been possible at this point to determine whether the draft Plan could form the basis of a case to the EU Commission that an exception should be made for continued turf-cutting on any particular site, notwithstanding the damage it would cause. The issue is dealt with in more detail in Chapter 6 of the draft Plan.

I hope that the publication of the draft Plan and the consultation process now underway will encourage further consideration by turf-cutters and their representatives in regard to this issue and their engagement with me and my Department in the finalisation of the Plan.

### **Heritage Sites**

108. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which his Department works in unison with the authorities in Northern Ireland in the promotion of heritage sites of Irish culture; and if he will make a statement on the matter. [4508/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** The promotion and marketing of the island of Ireland as a tourist destination is primarily a matter for Tourism Ireland, which, as all-island body, works in strategic partnership with Fáilte Ireland and the Northern Ireland Tourist Board and with other industry partners to expand Ireland's valuable tourism market and to highlight the unique qualities of Ireland's national heritage abroad.

My own Department's remit includes Waterways Ireland and An Foras Teanga (encompassing Foras na Gaeilge and Tha Boord o Ulstèr Scotch-the Ulster-Scots Agency) which both have a key role in promoting tourism and cultural diversity, understanding and development throughout the island of Ireland. My Department also works on a range of issues across the area of built heritage, arts and culture and the natural heritage with public agencies in Northern Ireland where opportunities for co-operation arise.

My Department provides core funding for the Heritage Council, which supports a range of initiatives, including National Heritage Week that in 2013 included events from Counties Antrim and Down. The Irish Walled Towns Network includes, as a founder member, Derry City

which celebrated the 400th anniversary of the laying out of the ground on which Derry's walls were built in 2013. In October 2013 I attended the 23rd European Walled Towns Symposium in the Guild Hall in Derry where I had a dialogue about our shared objectives with regard to the promotion of heritage with the Minister for the Environment in the Northern Ireland Assembly.

Through the Irish Walled Town Network, the Heritage Council has funded medieval festivals and other activities that highlight the importance of the walls as a community and heritage resource. Since 2007, €103,500 has been awarded by the Heritage Council through the Irish Walled Towns Network to Derry City Council for medieval festivals and other activities that highlight the importance of the walls as a community and tourist resource. €6,500 was provided by the Heritage Council in 2013 for Derry's walled town festival.

The Museum Standards Programme of Ireland, which sets out to raise standards of curatorship across Irish museums and galleries, includes, as one of its participants, the Museum of Free Derry. Many of the museums in the programme also participate in cross border initiatives under their own auspices such as Donegal County Museum, Cavan County Museum and Monaghan Museum. Furthermore, Heritage Officers in border counties often undertake projects in co-operation with their northern colleagues and there is on-going co-operation and collaboration between Local Authority planners in the border counties on heritage issues. My Department funds Comhaltas Ceoltóirí Éireann which held its largest and flagship annual event in Derry in 2013 to celebrate the Derry Londonderry UK City of Culture.

In September 2013, I hosted a World Heritage Seminar, designed to consider the interest of local authorities and community groups in pursuing full nomination of World Heritage Status for the sites on the Tentative List and to clarify all the elements involved in applying for and retaining such status. The seminar was attended by representatives of Armagh District Council in connection with the possibility of including Eamhain Mhacha/Navan Fort in the Royal sites of Ireland nomination. Arising from the seminar, my Department has established contacts with the local authorities and communities involved with a view to further advancing that process.

### **Arts Promotion**

**109. Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he and his Department continue to promote the arts through the education system with particular reference to primary and second level schools; and if he will make a statement on the matter. [4509/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** As the Deputy is aware, in January 2013 the Minister for Education and Skills, Ruairí Quinn, T.D., and I jointly launched the Arts in Education Charter. This Charter places new responsibilities on Government Departments, agencies, cultural institutions and arts organisations in terms of providing and promoting arts education to children and young people.

Both Minister Quinn and I believe passionately in arts education and want to see a joined-up Government approach across Departments, education agencies and arts organisations. The Charter will see organisations like the Arts Council, the National Cultural Institutions, the Colleges of Education and the National Council for Curriculum and Assessment working with both Departments in order to bring the arts into the classroom and learners into the institutes for the arts.

A High Level Implementation Group was established to oversee the implementation of the Art in Education Charter, chaired by Professor John Coolahan, Professor Emeritus, NUI

Maynooth. The membership includes Orlaith McBride, Director of the Arts Council, Mary Nunan, Irish World Academy of Music and Dance, University of Limerick, Alan Wall, Director, Department of Education and Skills and Niall Ó Donnchú, Assistant Secretary, Department of Arts, Heritage and the Gaeltacht.

The Group has met on a number of occasions and has been proactive in meeting organisations from both the arts and education sectors. Progress is being made on a number of initiatives, including developing a website/portal as a key communications and information channel for both the education and arts sectors. Suitable models for art-rich schools and for artists to become involved in the programme are also being examined by this Group.

In 2012, I announced the introduction of a new philanthropic initiative on a pilot basis for arts and culture organisations. €210,000 was made available to arts organisations under this scheme and last year the initiative was directed towards arts and culture organisations seeking support for projects that included an education component. In 2013 almost €200,000 was made available under that programme.

### Arts Promotion

110. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he and his Department continue to promote traditional music and song at various levels and types of media; and if he will make a statement on the matter. [4510/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** My Department is committed to enhancing our traditional culture by supporting groups and organisations involved in furthering the traditional arts. Since 2005, in excess of €20m has been provided in capital grant aid to organisations that promote traditional music and song, such as Comhaltas Ceoltóirí Éireann and Na Píobairí Uilleann (The Pipers Club), for infrastructural development throughout the State.

My Department provides an annual current grant to Comhaltas Ceoltóirí Éireann. In 2014, this amounts to €1.448m. Comhaltas has over 400 branches nationwide and has been to the fore in training young people in the traditional arts. The Irish Traditional Music Archive based in Merrion Square which is a wonderful resource for those studying traditional music is also supported by The Arts Council.

Other organisations funded by my Department that encourage and foster the traditional arts of music and singing include the Arts Council, Foras na Gaeilge and Ealaín na Gaeltachta. As well as providing educational opportunities for young people these organisations provide funding to the many festivals held in the country every year where thousands of young people participate and are encouraged to develop their artistic talents. My Department also assists An Gael-Acadamh, which provides a range of classes for young people in the Connemara Gaeltacht.

I would especially like to direct the Deputy's attention to *Culturefox*, an initiative paid for by my Department to promote the arts and culture. *Culturefox* is both a website and an "app", and has a separate section for the promotion of traditional music and song. It is free to use for promoters and consumers alike.

### Heritage Sites

111. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he has received applications for funding for the improvement, renovation,

restoration or conservation of buildings, sites or national monuments; the extent to which any such locations are likely to receive attention in the current and future years; and if he will make a statement on the matter. [4511/14]

112. **Deputy Bernard J. Durkan** asked the Minister for Arts, Heritage and the Gaeltacht the extent to which he has received communications indicating heritage sites or buildings deemed to be at risk for whatever reason; the number of sites or locations made known to him; and if he will make a statement on the matter. [4512/14]

**Minister for Arts, Heritage and the Gaeltacht (Deputy Jimmy Deenihan):** I propose to take Questions Nos. 111 and 112 together.

As the Deputy will appreciate, the scope for funding for the conservation of the built heritage is constrained by the significant reduction in the public finances. Nonetheless, I can assure the Deputy that the competing priorities regarding the preservation and enhancement of the national heritage are kept under ongoing review, having regard to the resources available to my Department. In this regard, I recently announced the introduction of the *Built Heritage Jobs Leverage Scheme* for the repair and conservation of structures protected under the Planning and Development Acts 2000-2012. A sum of €5 million has been made available to the scheme under the Government's Capital Stimulus programme.

This scheme will allow owners throughout the country to apply for funding for conservation works to protected structures at risk. The scheme is being managed by city and county local authorities, each of which has been given a funding allocation based on population size and number of structures on the Record of Protected Structures in the geographical area they serve. Applications for funding are currently being made directly to the local authorities. I have requested each local authority to forward a list of eligible applications to me for approval of funding by the end of February 2014.

Finally, in relation to sites or buildings at risk, there is a number of ways in which my Department is made aware of possible risk to protected structures, sites or monuments, one of these being the receipt of applications for funding for the improvement, renovation, restoration, conservation, preservation or otherwise making safe of same. In addition, my Department often receives information relating to potential risk to protected structures, sites and monuments from local authorities, the Heritage Council, heritage-based NGOs and members of the public. However, a single set of comprehensive statistics is not available in respect of the number and location of endangered heritage sites or buildings throughout the country.

### **Infrastructure and Capital Investment Programme**

113. **Deputy Kevin Humphreys** asked the Minister for Communications, Energy and Natural Resources in relation to capital building projects currently under way under the remit of his Department, and the building programmes planned for 2014; if he will outline the impact the new Building Control Regulations 2013, which will come into effect on 1 March, will have on the costs of each specific project; if he will list the projects under way; the extra costs that will be incurred on each due to increased professional fees as a result of the increased supervision; and if he will make a statement on the matter. [4362/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** There are no capital building projects currently underway or planned for 2014 under the remit of my Department which would be subject to the Building Control (Amendment) Regulations 2013.

## **Broadband Service Provision**

114. **Deputy Ann Phelan** asked the Minister for Communications, Energy and Natural Resources as the new ESB (Electronic Communications Network) Bill might accelerate the roll-out of high speed broadband, when it is expected that the rural areas of Kilkenny, such as Moneenroe, County Kilkenny, should expect to receive a broadband upgrade as part of the national broadband plan; if an upgrade will result in cheaper broadband in this area and the range of the upgrade; and if he will make a statement on the matter. [4399/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The Government's National Broadband Plan, which I published in August 2012, aims to radically change the broadband landscape in Ireland by ensuring that high speed broadband is available to all citizens and businesses, including those in County Kilkenny. This will be achieved by providing:

- a policy and regulatory framework that assists in accelerating and incentivising commercial investment, and

- a State-led investment for areas where it is not commercial for the market to invest.

Since the publication of the Plan, investments by the commercial sector are underway and in some instances have been accelerated in both fixed line and wireless high speed broadband services. These developments have been facilitated through the implementation of measures in the National Broadband Plan, including the conclusion of ComReg's multiband spectrum auction, and the new regulatory regime for fixed line Next Generation Access and service bundles. Both of these measures are designed to incentivise the rollout of services by operators.

The ESB Electronic Communications Bill, which I introduced last week, is a further step in promoting investment in competitively priced high speed broadband. The Bill will, when enacted, enable the ESB to utilise its electricity distribution network to provide telecommunications services in the Irish market. Formal proposals are awaited in relation to the project currently being considered by the ESB and I cannot therefore comment on implementation timescales and specific areas that will be covered. This initiative is however very much in the spirit of the National Broadband Plan which recognising the role of commercial State companies in providing telecommunications infrastructure and services and the role that State assets can play generally in accelerating the roll out of high speed broadband.

In tandem with these developments, intensive work is underway in my Department to progress a State-led investment to secure the countrywide introduction of next generation broadband access. In order to progress the State-led investment for areas where it is not commercial for the market to invest, a full procurement process must be designed and EU State Aids approval must be obtained. My Department is engaged in a comprehensive mapping exercise of the current and anticipated investment by the commercial sector over the coming years, the results of which will inform the areas that need to be targeted in the State-led investment as envisaged in the National Broadband Plan.

Intensive technical, financial and legal preparations, including stakeholder engagement, are ongoing. All relevant matters, including issues related to pricing, will be considered as the process of the detailed design of the intervention develops. The procurement process for the approved intervention will be carried out in accordance with EU and Irish procurement rules and it is expected that it will be launched in 2014.

Through the implementation of the National Broadband Plan, I am committed to ensuring that all parts of Ireland have access to high speed broadband, with a view to ensuring that all

citizens and businesses can participate fully in, and maximise the benefits of, a digitally enabled economy and society.

### **Electricity Transmission Network**

115. **Deputy Mick Wallace** asked the Minister for Communications, Energy and Natural Resources the likely impact of the proposed EirGrid Grid Link pylon project on Ireland's heritage and wildlife; and if he will make a statement on the matter. [51465/13]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** EirGrid's Grid25 Programme is a Government endorsed strategy to develop the transmission network to ensure nationwide safe, secure and affordable electricity supply supporting economic growth, renewable and sustainable energy. It represents the most important investment in Ireland's transmission system for several generations and will position our energy system for decades to come.

Neither the Government nor I seek to direct the energy infrastructure developers to particular technologies, sites or routes as was made clear in the Government's July 2012 Policy Statement on the Strategic Importance of Transmission and Other Energy Infrastructure. That statement emphasises that these are matters for the developers and for the forward planning process through regional and local development plans and at project level through the development management process. Ultimately, it will fall to An Bord Pleanála to determine whether the views expressed have been adequately taken into account in the final project design.

The Government does expect the Companies in making their choices, of project specific technologies and routing as well as mitigation measures, to take account of all relevant national and international standards, to follow best practice and ensure value for money and be informed by detailed consultation at local level.

In addition to undertaking extensive statutory and non-statutory public consultation, the State companies and energy developers must adhere to national and international standards on health, environment, biodiversity, landscape and safety as an intrinsic part of the Planning process. Compliance together with appropriate impact mitigation measures are central to the Environmental Impact Assessments which form the basis of planning applications to An Bord Pleanála. This includes compliance with EU and national Environmental, Habitat and Biodiversity legislation as well as EMF exposure limits set out in the Guidelines issued by the International Commission on Non-Ionising Radiation Protection.

### **Broadband Service Provision**

116. **Deputy Tom Fleming** asked the Minister for Communications, Energy and Natural Resources if he will investigate the poor quality of service and inadequate signal, by the national broadband service provider company called 3, in Barleymount, west Killarney, County Kerry, as there are several businesses in the area and the poor quality of service is causing loss of income for them and inhibiting growth; and if he will make a statement on the matter. [4486/14]

**Minister for Communications, Energy and Natural Resources (Deputy Pat Rabbitte):** The broadband service under National Broadband Scheme (NBS) is a basic, affordable, scalable product in keeping with EU State Aid clearance for the Scheme in September 2007. Under the terms of the contract with Hutchison 3G Ireland Ltd (trading as "3"), which is overseen by my Department, the NBS mobile wireless service currently offers minimum download and

upload speeds of 2.3Mbps and 1.4Mbps respectively, subject to a maximum contention ratio of 18:1. The NBS satellite service, which is utilised in a small number of cases for technical reasons associated with the location of the premises, offers minimum download and upload speeds of 3.6Mbps and 384 kbps respectively, subject to a maximum contention ratio of 48:1.

My Department has well-established monitoring arrangements in place to ensure that the NBS delivers the minimum specified service or better to all users. The NBS contract guarantees service levels and imposes a service credit regime on “3”, with significant financial consequences in the event that minimum specification service levels are not met. The NBS contract also provides that where NBS customers do not receive the minimum guaranteed service, as set out in the terms and conditions of their contract, they are entitled to service rebates.

As part of 3’s network operations oversight, traffic and utilisation performance data, including site availability across the entire NBS network, is reviewed by “3” on a continuous basis. Remedial action can be taken remotely or 3’s field engineering staff will resolve performance issues at individual sites, depending on the nature of the incident. Annual site maintenance inspections are carried out by “3” on each of its sites.

I understand from “3” that the sites serving the area of Barleymount have been performing as expected. My officials are not currently aware of any service performance issues with the NBS service in the Barleymount area. Should any NBS customer experience problems with the NBS service, they are advised to contact 3’s customer care centre, 24 hours a day 7 days a week, by phone at 1913 (free of charge), via email to [nbssupport@three.ie](mailto:nbssupport@three.ie) or by post to 3 Customer Services, Hutchison 3G Ireland Limited, PO Box 333, Dublin 2.

My Department has a role where customers have fully utilised the established complaints process and consider that their complaint has not been resolved. My officials operate a dedicated NBS mailbox, which NBS customers can contact by email at [nationalbroadbandscheme@dcenr.gov.ie](mailto:nationalbroadbandscheme@dcenr.gov.ie), with any comments or complaints they may have about their NBS service. My Department will then liaise with “3” personnel at its Head Office in Dublin to ensure that any service performance issues, which are brought to its attention, are addressed as quickly as possible.

### **Sustainable Development Strategy**

117. **Deputy Luke ‘Ming’ Flanagan** asked the Minister for the Environment, Community and Local Government with regard to Local Agenda 21, if he will provide a copy of the principles of sustainability; if he will consider bringing forward legislation for the specific purpose of implementing Our Sustainable Future - A Framework for Sustainable Development for Ireland, which was published in June 2012 and sets out a whole-of-Government approach to sustainable development and aims to embed this principle in policy-making processes across Departments and agencies; and if he will make a statement on the matter. [4385/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The national framework for sustainable development for Ireland, Our Sustainable Future, identifies a set of principles for sustainable development, adapted from sustainability principles already developed by the United Nations and the European Commission. In summary, the framework document promotes an approach to sustainability which respects the social, cultural, economic and environmental needs of the present and future citizens of a community in all its diversity; the document is available to view and download on my Department’s website ([www.environ.ie](http://www.environ.ie)).

Our Sustainable Future identifies some 70 measures to be implemented over the short, medium and long term. Within a year of publication of the framework, 17 of the 70 identified mea-

asures were completed or part-completed and other measures were advancing at a satisfactory pace. Local Agenda 21, as described in the framework, supports the integration of sustainable development principles at community level. My Department's Local Agenda 21 Environmental Partnership Fund gives life to these principles by assisting small-scale, non-profit, environmentally beneficial projects at a local level. Details of specific activities supported by the Fund are included in the reply to Question No. 406 of 17 December 2013.

Because it was recognised that effective implementation of the framework would be a key challenge, the Government agreed that the framework should be monitored at the most senior level. I chair the High-Level Inter-Departmental Group on Sustainability that co-ordinates implementation of measures by Departments, while ultimate oversight is delivered through the Cabinet Committee on Climate Change and the Green Economy, chaired by An Taoiseach. A second meeting of the High-Level Inter-Departmental Group for Sustainable Development is being held in February 2014, focussing on monitoring progress made, obstacles encountered and opportunities for further impact. Following this meeting, the Group will submit a progress report to the Cabinet Committee on Climate Change and the Green Economy.

As regards the need for legislation, the framework already incorporates a number of legislative measures and I look forward to receiving a progress report on these from the relevant Departments at our February meeting.

### **Water Charges Exemptions**

118. **Deputy Joe Higgins** asked the Minister for the Environment, Community and Local Government if he will support the granting of a generous free allowance of water in the water charging scheme for those with Crohn's disease and other conditions that require the use of additional water; and if he will make a statement on the matter. [4351/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Programme for Government sets out a commitment to the introduction of water charges based on usage above a free allowance. The Government considers that charging based on usage is the fairest way to charge for water and it has, therefore, decided that water meters should be installed in households connected to public water supplies. An inter-departmental working group has been established to advise the Government on the appropriate method for addressing affordability issues which may arise with the introduction of domestic water charges. The group is examining the issues arising for those with specific medical conditions which require high water usage in the course of its work.

The group comprises my Department and the Departments of the Taoiseach, Social Protection, Public Expenditure and Reform and Finance. The group will submit a final report for consideration by Government when it has completed its examination of the issues involved. This will allow for decisions on the proposed approach to be taken in advance of proposed public consultation by the Commission for Energy Regulation on the approach to the design of domestic water tariffs during 2014.

### **Building Regulations Compliance**

119. **Deputy Kevin Humphreys** asked the Minister for the Environment, Community and Local Government in respect of capital building projects under the remit of his Department and the building programmes planned for 2014, if he will outline the impact the new building control regulations 2013, that come into effect on 1 March, will have on the costs of each specific project; if he will list the projects under way; the extra costs that will be incurred on each project due to increased professional fees and increased supervision; and if he will make a statement on the matter. [4365/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The new Building Control Amendment Regulations which come into operation on 1 March 2014 will greatly strengthen the arrangements currently in place for the control of building activity by requiring greater accountability in relation to compliance with Building Regulations in the form of statutory certification of design and construction, lodgement of compliance documentation, mandatory inspections during construction and validation and registration of certificates.

An extensive public consultation process was undertaken in 2012 to inform the development of the revised regulations. Comprehensive consultation documents were published including Strengthening the Building Control System - A document to inform public consultation on Draft Building Control (Amendment) Regulations 2012 which sets out the context in which the reforms will operate and the regulatory impact of these for building owners (including public contracting authorities) and industry stakeholders. In summary terms, it can be said that the arrangements being put in place for the control of building activity may result in additional design, certification and, possibly, insurance costs which must ultimately be borne by the building owner/contracting authority. Such additional costs would be justified by the enhanced quality and standard of design and construction of the building project concerned in light of several notable instances of non-compliant buildings which failed to meet minimum building standards. It is anticipated that the statutory inspection process will reduce the incidences of defective works on site and the resultant associated costs of carrying out remedial works will reduce accordingly.

The new statutory requirements apply to projects for which commencement notices are submitted on and after 1 March 2014. In this regard public construction projects which are currently underway or which are validly commenced prior to 1 March 2014 will be unaffected by the new requirements. Projects for which tender documents are currently being produced will be advertised having regard to the new statutory requirements, and the contract price will be determined by competitive tender in line with normal arrangements. Projects for which contractual arrangements have previously been entered into but which have not yet commenced will now have to reflect the additional requirements of the new regulations. The suite of public works contracts and conditions of engagement as set out in the Capital Works Management Framework provides context for addressing the additional statutory requirements and the associated costs. As part of the competitive process for each project, the standard conditions of engagement require consultants to submit rates for time charges and these tendered rates are evaluated before appointment. The submitted rates will provide the basis for reimbursement for any additional services required from the consultants arising from the requirements of the new regulations. The additional cost arising for each project will depend on the particular specifics of that project.

My Department's capital programmes include responsibility for Housing, Environmental Protection, Fire Services, Libraries and other capital projects implemented primarily by local authorities. Any additional costs for projects which are now subject to contract but which have not yet commenced will, in the first instance, be a matter for the contracting authority. Funding provided by my Department for capital works is subject to detailed scrutiny at critical stages, in line with the Capital Appraisal Guidelines and value for money principles.

## **Waste Management**

120. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government to identify the person who commissioned the reports by a company (details sup-

plied) on local waste management plans; and the amount that he or she was paid. [4381/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The preparation and adoption of a waste management plan is the statutory responsibility of the local authority or authorities concerned. Under section 60(3) of the 1996 Act, I am precluded from exercising any power or control in relation to the performance by a local authority, in particular circumstances, of a statutory function vested in it.

### **Water Meters Installation**

121. **Deputy Kevin Humphreys** asked the Minister for the Environment, Community and Local Government if his Department commissioned a study on the technical aspects governing metering of multi-unit developments for Irish Water; if he will publish this report or provide a copy of it to this Deputy; the person from whom the report was commissioned; the amount it cost; and if he will make a statement on the matter. [4382/14]

132. **Deputy Róisín Shortall** asked the Minister for the Environment, Community and Local Government further to Parliamentary Question No. 451 of 22 January 2014, if he will address the specific questions raised; namely, if his Department will provide a projected timeline for the installation of water meters to the 300,000 homes that have not been included in the initial roll-out of metering; if it is the intention of Irish Water and his Department that these homes will be installed with meters in the foreseeable future; if two homes sharing a single connection will be treated differently from an apartment block; and the reason this supply cannot be split as part of the meter installation programme; if he will provide an update on the deliberations of the Commission for Energy Regulation regarding charges; and if he will make a statement on the matter. [4498/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Questions Nos. 121 and 132 together.

The Programme for Government sets out a commitment to the introduction of water charges based on usage above a free allowance. The Government considers that charging based on usage is the fairest way to charge for water and it has therefore decided that water meters should be installed in households connected to public water supplies. The Water Services Act 2013 provides for the establishment of Irish Water as an independent subsidiary within the Bord Gáis Éireann Group and assigns the necessary powers to allow Irish Water to undertake the metering programme. The installation programme commenced in August 2013 and will be implemented nationally as quickly as possible.

Up to 300,000 households may not be metered in the initial metering programme due to either the high cost or the technical difficulty of doing so. As the Government's objective is to ensure as many households as possible are metered, my Department provided funding of €570,000 in 2013 to fund the cost of a study by Irish Water on possible approaches to metering properties that will not be included in the current metering programme, including apartments and properties with shared service connections. The study involved the following: desktop studies of data on the properties to be covered in the phase 2 programme including the age, configuration and distribution of the properties; field surveys; pilot studies to investigate design solutions and technological solutions; and sample meter installations in apartment blocks to validate design solutions.

This study has very recently been submitted to my Department for consideration and, as such, any proposals for the metering of these properties would need to be considered by the

Government in the first instance. The report will be published as soon as possible following its consideration. The Water Services Acts 2013 provide that the Commission for Energy Regulation (CER) will be responsible for the independent economic regulation of Irish Water. In particular, the CER will be responsible for approving the water charges plans prepared by Irish Water, and for approving codes of practice to be prepared by Irish Water. The primary role of the Regulator will be to protect the interests of customers and to ensure a consistent and appropriate level of service is provided to them. In discharging its functions, the CER proposes to undertake a public consultation on the approach to the design of domestic water tariffs during 2014. This will include the approach to charges for both metered and unmetered properties.

### **Irish Water Expenditure**

122. **Deputy Kevin Humphreys** asked the Minister for the Environment, Community and Local Government if he will provide a breakdown of all expenditure in his Department for 2013 associated with the establishment of Irish Water, including any sums spent on external advisers; the projected spend in 2014; the way in which this will be spent; and if he will make a statement on the matter. [4383/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** My Departmental costs and Local Authority costs relating to the Water Sector Reform Programme have been met from the Departmental Vote. These costs amounted to €15.5m in 2013. The majority of this expenditure related to the domestic metering programme (€7.7m) and the local authority staffing costs of the Water Services Transition Office (€5.7m), which was put in place to ensure appropriate arrangements for engagement with the local authority sector during the reform process. In addition, Departmental costs which included the staffing of the Water Sector reform Project Management Office in my Department, amounted to some €1.3m in 2013.

The balance of the costs incurred in 2013 includes €0.76m paid to the Commission for Energy Regulation in respect of their expanded functions in becoming the independent economic regulator for the public water sector and €55,000 paid to the Economic and Social Research Institute in respect of providing research and advice on affordability issues associated with the introduction of domestic water charges.

It is estimated that some €2m will be spent on my Department's programme management and the Transition Office during 2014. It is also expected that some €5m will be re-couped to local authorities in connection with road-opening licence work associated with the national domestic metering programme. In 2014, Irish Water, which now has statutory responsibility for water services, will receive €240m in equity from the Minister for Finance and some €490m from the Local Government Fund but no other funding from the Department's Vote for establishment or other costs. Irish Water is currently preparing a Capital Investment Plan for 2014 – 2016 that will provide for the transition of projects previously included in my Department's 2010 - 2013 Water Services Investment Programme.

### **Local Authority Funding**

123. **Deputy Kevin Humphreys** asked the Minister for the Environment, Community and Local Government if his Department gave consent for the expenditure of €12 million on a district heating scheme in the Dublin 4 area associated with the Poolbeg incinerator; the amount his Department provided for same; the person who signed off on the expenditure; if external

consultants were commissioned for this work; if he will provide a copy of all documents in his Department related to this specific project; and if he will make a statement on the matter. [4384/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Questions regarding the development of a district heating scheme in the Dublin 4 area are a matter for Dublin City Council. My Department has not provided funding to Dublin City Council in respect of a district heating scheme.

### **Irish Water Appointments**

124. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government the methods that were used to select and appoint members of the board of Irish Water; and the number of persons that applied for the position. [4386/14]

125. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government the current corporate relationship between Irish Water and Bord Gáis. [4387/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** I propose to take Question Nos. 124 and 125 together.

The Water Services Act 2013 provided for the establishment of Irish Water as a subsidiary of Bord Gáis Éireann (BGE) and that the new company should be formed and registered under the Companies Acts. The Memorandum and Articles of Association, which were adopted by Irish Water on its incorporation in July 2013, provide that the appointment of directors to the Board of Irish Water is the responsibility of the Board of BGE with the approval of the Minister for the Environment, Community and Local Government and the Minister for Communications, Energy and Natural Resources. Twelve directors have been appointed to the Board of Irish Water by BGE and these appointments were approved in advance by me, as Minister, and by my colleague, Minister Pat Rabbitte. The persons appointed by BGE have a broad range of relevant expertise, knowledge and experience which will be critically important in guiding Irish Water in its challenging start-up phase.

### **Local Authority Housing**

126. **Deputy Andrew Doyle** asked the Minister for the Environment, Community and Local Government if he will provide details of any houses purchased by Wicklow Town Council in the past three years; if he will provide a detailed breakdown and cost for that period; and if he will make a statement on the matter. [4420/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** My Department's records show that an amount of €404,621.50 was recouped to Wicklow County Council in connection with the purchase of two properties at No. 5 and No. 6 Kilmantin Hill, Wicklow in 2012. There is no record of any house purchases by Wicklow Town Council and involving Departmental funding over the period 2011 to 2013.

### **Irish Water Administration**

127. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government the reason Irish Water is insisting, as part of its Multi-Supplier Framework for the Provision of Water Services Repair and Maintenance Works, information be provided in

full of evidence of a minimum of two employees with confined space entry training; if his attention has been drawn to the fact that this condition essentially precludes many contractors who have supplied these services to local authorities for many years; and if he will make a statement on the matter. [4422/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** As Irish Water is a commercial utility and a subsidiary of Bord Gáis Éireann (BGE), formed and registered under the Companies Act, I have no role in relation to the procurement by Irish Water of external resources. This is an operational matter for the company.

However, Irish Water assures me that their tendering processes are fully compliant with public procurement rules.

I understand from the company that in this case the tenders were designed by engineering expertise seconded directly from local authorities, in consultation with Irish Water legal, insurance and Health, Safety, Quality and Environment (HSQE) sections. In line with the statutory requirements and the associated code of practice for working in confined spaces, it is Irish Water policy that a minimum of two persons with confined space entry training will always be needed to meet the statutory requirements and to achieve an acceptable safe system of work.

Services in connection with confined spaces entry and inspection is one of several sub-frameworks within the main Provision of Water Services Repair and Maintenance Framework. Contractors who did not have confined space capability were eligible to participate in other sub-frameworks where they had appropriate capability.

### **Local Authority Housing**

128. **Deputy Michael McGrath** asked the Minister for the Environment, Community and Local Government the restrictions that apply to a person who purchased a property from a local authority under the affordable housing scheme and who may now wish to sell the property; and if he will make a statement on the matter. [4449/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O'Sullivan):** Since the introduction of affordable housing schemes in 1999 qualifying applicants were enabled to become home owners through purchase of designated affordable units, including through the shared ownership scheme. The primary objective of the affordable homes schemes was to assist households who would otherwise not have been in a position to purchase a home. As the properties were acquired by the purchaser at a significant discount from market value a clawback mechanism was introduced to prevent short-term profit taking on the resale of the house to the detriment of the objectives of the schemes.

The Government's 2011 Housing Policy Statement subsequently announced the standing down of all affordable housing schemes in the context of a full review of Part V of the Planning and Development Acts 2000-2013, which provided the basis for affordable housing schemes. The new approach to the provision of social housing, adopted in the Housing Policy Statement, was mindful of both the changed context arising from the collapse of the housing market, and its impact on individual households.

Details regarding the review of Part V are available on my Department's website [www.environ.ie](http://www.environ.ie). The period for public submissions has closed and submissions from a variety of interested parties are now under consideration.

I expect to be in a position to formulate future policy approaches and actions, including in

relation to affordable housing, taking account of the consultation process, in the near future.

### **Commercial Rates**

129. **Deputy Michael Healy-Rae** asked the Minister for the Environment, Community and Local Government his views on introducing a rates reduction for struggling small businesses (details supplied); and if he will make a statement on the matter. [4454/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** Local authorities are under a statutory obligation to levy rates on any property used for commercial purposes in accordance with the details entered in the valuation lists prepared by the independent Commissioner of Valuation under the Valuation Act 2001. The levying and collection of rates are matters for each individual local authority.

The annual rate on valuation (ARV), which is applied to the valuation for each property determined by the Valuation Office to obtain the amount payable in rates, is decided by the elected members of each local authority in the annual budget and its determination is a reserved function.

I am acutely aware of the pressures on small and medium - sized businesses at the present time. Local authorities have been asked by my Department to exercise restraint or, where possible, to reduce commercial rates and local charges for 2014. Local authorities have responded well to such requests in recent years and in 2013, 87 out of the 88 rating authorities have either reduced their ARV or kept it the same as in 2012.

The reorganisation of local governance structures, set out in the Action Plan for Effective Local Government – Putting People First is being given effect through the Local Government (Reform) Act 2014. A key objective of the reform programme is to reduce the burden on rate-payers and indeed taxpayers generally, by reducing cost and maximising efficiency.

The new structures of local government, including the establishment of municipal districts, provide an opportunity to achieve a more coherent approach to rates and charges on a county-wide basis having regard to funding requirements and the need to support employment and business competitiveness. The Act provides for rates harmonisation, to cater for differences between ARVs of towns and counties, to be achieved over a ten year period. While the determination of ARVs will continue to be a reserved function of the new authorities, I am determined that the savings and cost efficiencies that will accrue from the new structures should be passed on to ratepayers in the form of lower charges.

I have also provided in the Act for the removal of the liability that is placed on new occupiers of properties for up to two years of outstanding rates of the previous occupier. This is a strong indication of the Government's commitment to removing any barrier to enterprise development and to support business start-ups and those existing businesses wishing to expand or relocate.

I will continue to keep the approach to rates by local authorities under active review, and am determined that every avenue will be pursued to optimise efficiency and contain costs in the local government sector.

### **Leader Programmes Funding**

130. **Deputy Brendan Griffin** asked the Minister for the Environment, Community and Local Government the reason for the decreased final allocation of Leader funding to Gaeltacht regions; if he will provide details of the original amount allocated versus the final amount al-

located; and if he will make a statement on the matter. [4484/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** In May 2013 it became necessary to revise all Local Action Groups' (LAGs) Rural Development Programme 2007– 2013 allocations as the Programme value had reduced by over 13% due to an increased co-financing rate agreed with the European Commission. When awarding revised allocations I provided €6 million for the Gaeltacht areas. Again in December 2013 I provided an additional allocation of €1 million for Gaeltacht areas.

Meitheal Forbartha na Gaeltachta (MFG), the LAG contracted to deliver the LEADER elements of the Rural Development Programme 2007– 2013 in Gaeltacht areas, was awarded a funding allocation of €17.27m in 2009. This figure included a provision for a maximum of 20% for administration costs.

MFG went into liquidation in 2011 and at the time of liquidation my Department had paid €3,371,751 to MFG with €1,968,042 of this relating to project payments. In 2012, following legal advice and contact with the European Commission, I extended the contracts of the contiguous LAGs into the former MFG areas to ensure that these areas had access to LEADER funding.

In total the revised allocation available to the Gaeltacht areas is €10,371,751. The table below provides details of revised allocations to the contiguous LAGs including the element of the original allocation spent pre MFG's liquidation.

<b>Local Action Group</b>	<b>Total - €6 - Gaeltacht Allocation</b>	<b>Additional - €1 - Gaeltacht Allocation - December 2013</b>	<b>Total</b>
MFG expenditure pre liquidation	-	December 2013	€3,371,751
Comhar na nOileán	€2,122,427	€393,400	€2,515,827
Donegal Local Development Company	€1,332,153	€289,700	€1,621,853
Mayo North East LEADER Partnership	€925,548	€70,500	€996,048
Meath Partnership	€245,952	€20,700	€266,652
North & East Kerry LEADER Partnership	€483,183	€74,700	€557,883
South Kerry Development Partnership	€196,009	€27,500	€223,509
South West Mayo Development Co	€341,111	€56,900	€398,011
Waterford LEADER Partnership	€107,920	€20,900	€128,820
West Cork Development Partnership	€245,697	€45,700	€291,397

#### **Irish Water Staff**

131. **Deputy Jonathan O'Brien** asked the Minister for the Environment, Community and

Local Government the number of employees that are working in the regional section of Uisce Éireann in Mallow, County Cork; the number of those employees that are former local authority staff; and the remuneration they received upon leaving employment in the local authorities. [4497/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** The Water Services Act 2013 provided for the establishment of Irish Water as a subsidiary of Bórd Gáis Éireann to be formed and registered under the Companies Act.

I have no role in relation to staff recruitment in Irish Water. However, I understand that Irish Water is currently recruiting to build up the internal capabilities required within the organisation. The number of staff employed is an operational matter for the company.

Data supplied by Irish Water indicate that at present twelve Irish Water staff are currently working in the Mallow office. Of these, nine were employed by a local authority prior to joining Irish Water. My Department does not have information on such staff members' previous remuneration.

*Question No. 132 answered with Question No. 121.*

### **Irish Water Administration**

133. **Deputy Tom Fleming** asked the Minister for the Environment, Community and Local Government if he will examine the tender documentation issued by Irish Water which will block many Irish companies from tendering (details supplied); and if he will make a statement on the matter. [4514/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Hogan):** As Irish Water is a commercial utility and a subsidiary of Bord Gáis Éireann (BGE), formed and registered under the Companies Act, I have no role in relation to the procurement by Irish Water of external resources. This is an operational matter for the company.

However, Irish Water assures me that their tendering processes are fully compliant with public procurement rules.

I understand from the company that the relevant tenders were designed by engineering expertise seconded directly from local authorities with direct knowledge of the local supply base and, in consultation with Irish Water legal, insurance and Health, Safety, Quality and Environment Sections.

The methodology was not designed to exclude smaller companies. The framework contracts did include local authority area panels to allow as many smaller contractors as possible to be included and ensure competition. Irish Water confirms that significant numbers of local smaller contractors have been awarded framework contracts.

### **Property Taxation Yield**

134. **Deputy Brian Stanley** asked the Minister for the Environment, Community and Local Government the amount of local property tax that has been collected in each local authority area; and the amount each will receive in 2014 from the Local Government Fund. [4515/14]

**Minister for the Environment, Community and Local Government (Deputy Phil Ho-**

**gan):** Questions relating to the collection of the Local property Tax are a matter for my colleague, the Minister for Finance.

I assume that the Question refers to general purpose grants from the Local Government Fund. General purpose grants are my Department's contribution towards meeting the cost to local authorities of providing a reasonable level of services to their customers.

The amount to be paid to local authorities from the Local Government Fund for general purpose grants in 2014 is €281m; this figure recognises the removal of water related costs from local authorities to Irish Water in 2014. The table below details the proposed general purpose grant allocations from the Local Government Fund to all local authorities in 2014.

<b>Local Authority Name</b>	<b>2014 - €</b>
Carlow County Council	5,352,469
Cavan County Council	8,458,415
Clare County Council	2,646,284
Cork County Council	2,951,435
Donegal County Council	22,720,760
Dún Laoghaire-Rathdown County Council	5,724,579
Fingal County Council	454,714
Galway County Council	12,506,381
Kerry County Council	11,043,837
Kildare County Council	9,686,924
Kilkenny County Council	9,356,019
Laois County Council	7,631,324
Leitrim County Council	8,282,319
Limerick County Council	6,175,333
Longford County Council	8,119,493
Louth County Council	8,243,835
Mayo County Council	17,492,594
Meath County Council	8,799,199
Monaghan County Council	10,247,882
North Tipperary County Council	9,832,046
Offaly County Council	6,663,642
Roscommon County Council	9,107,439
Sligo County Council	8,993,352
South Dublin County Council	923,906
South Tipperary County Council	12,923,064
Waterford County Council	12,125,219
Westmeath County Council	10,115,479
Wexford County Council	11,888,576
Wicklow County Council	6,846,310
Cork City Council	8,544,374
Dublin City Council	2,667,330
Galway City Council	1,626,429
Limerick City Council	8,449,826
Waterford City Council	4,399,212

### Rental Accommodation Scheme Expenditure

135. **Deputy Joe Higgins** asked the Minister for the Environment, Community and Local Government the amount paid nationally by local authorities to private landlords under the rental accommodation scheme; and if he will list the amounts by each local authority area. [4516/14]

**Minister of State at the Department of the Environment, Community and Local Government (Deputy Jan O’Sullivan):** Since the inception of the Rental Accommodation Scheme in 2004, expenditure up to the end of 2013 has totalled €643.2 million. The following table sets out the total annual expenditure from 2004 to 2013.

Year	Annual Expenditure
2004	€164,836
2005	€723,281
2006	€6,199,980
2007	€27,384,837
2008	€53,025,430
2009	€83,394,513
2010	€100,076,430
2011	€115,917,365
2012	€125,429,966
2013	€130,886,608
-	€643,203,246

Recoupment made to local authorities under the RAS covers not only the contracted rents due to private landlords but also payments that are made to Voluntary Housing Bodies, administration costs, deposits on newly acquired accommodation, payments made in respect of additional units supplied under the Social Partnership Agreement Towards 2016 and up to very recently payments in respect of homeless persons.

My Department does not collect data on the amount directly paid by local authorities to private landlords nor does it have access to the amounts concerned by each local authority area.

### Building Regulations Compliance

136. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality in respect of capital building projects under the remit of his Department and the building programmes planned for 2014, if he will outline the impact the new building control regulations 2013, that come into effect on 1 March, will have on the costs of each specific project; if he will list the projects under way; the extra costs that will be incurred on each project due to increased professional fees and increased supervision; and if he will make a statement on the matter. [4370/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I wish to advise the Deputy that I am informed by the Irish Prison Service that the main capital projects currently underway are as set out below. The Deputy should be aware that the New Building Control Regulations will have no cost implications for these current prisons capital works.

- Cork - new prison;
- Wheatfield - Work & Training Building;

- Limerick - heating upgrade & sewerage upgrade;
- Likely to commence in the coming weeks: Mountjoy Prison - D wing refurbishment.

In regard to the Courts Service I am advised that it does not have any capital building projects currently underway or due to start on site in 2014. Furthermore, they have confirmed that they are fully aware of the requirements of the Building Control Regulations 2013 and therefore there will be no cost implications as they were taken into account in all projects that are currently at planning stage.

### **Asylum Applications**

137. **Deputy Kevin Humphreys** asked the Minister for Justice and Equality if he will examine if the Irish Naturalisation and Immigration Service retained the original Iranian identification certificate in respect of a person (details supplied) in Dublin 6, who submitted the document in 2006, while their other documents, including the official translation of the identification certificate, have been returned via their legal representatives, but they have not received the original identification certificate; and if he will make a statement on the matter. [4374/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am informed by the Irish Naturalisation and Immigration Service (INIS) of my Department that the normal practice is to return all original documents submitted by persons during their asylum claim to the person concerned or their legal representative. I am advised that this practice was followed in the case referred to by the Deputy.

Queries in relation to the status of individual immigration cases may be made directly to the INIS of my Department by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from the INIS is, in the Deputy's view, inadequate or too long awaited.

### **Coroners Service**

138. **Deputy Dara Murphy** asked the Minister for Justice and Equality the position regarding the Coroners Bill 2007; the date on which it will be enacted; and if he will make a statement on the matter. [4389/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will be aware that the Coroners Bill 2007 is before the Seanad having been restored to the Order Paper on my initiative.

The Bill is being reviewed with a view, among other matters, to making it as cost-effective as possible. It is necessary to consider the impact of relevant legal and medical developments since the Bill's publication in 2007, and to examine the proposed administrative structures for the coronial service to determine whether they remain appropriate and cost effective.

While it would be my wish to be in a position to progress this important Bill, it is not possible for me to indicate with any certainty, at this point, the likely timetable in that regard.

### **Anti-Social Behaviour**

139. **Deputy Niall Collins** asked the Minister for Justice and Equality if he will discuss with the Garda Commissioner suggestions by an eminent District Court judge in Tallaght that

there was a total breakdown of social order in Tallaght; if he appreciated the serious concerns of the Tallaght community in respect of the issue; if he will provide assurances that effective action will be taken; and if he will make a statement on the matter. [4411/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Deputy will appreciate that it would not be appropriate for me to comment on remarks made by a member of the Judiciary, apparently during the course of court proceedings. Law enforcement policy is, of course, a matter for the Government.

I can assure the Deputy that I share the concerns of people in Tallaght that the most effective strategies to counter and prevent crime are pursued in the area. In this regard I am in ongoing contact with the Garda Commissioner who has assured me that the very significant resources available to the Gardaí are effectively deployed to address policing needs in Tallaght. Local Garda management closely monitor all crime trends and community safety concerns with a particular focus on preventing crimes of violence against persons and property, and there is also a strong emphasis on active engagement with the community to support crime prevention and reduction.

I am further advised that Garda figures for the year 2013 indicate a reduction of 11% in incidents of violent crime as well as a 22% reduction in public order offences in the Tallaght sub-district, in comparison to the year 2012. These reductions are broadly in line with the overall crime trends nationally, which have seen most categories of crime falling, and reflect well of the work of An Garda Síochána.

I am very conscious that these positive indicators, and the excellent work which is taking place between Gardaí and the community in Tallaght, do not detract from the impact of violent crime, wherever it occurs, and I am aware of the serious concerns in the Tallaght area arising from two recent violent deaths. Both incidents are under active Garda investigation and several charges have been brought in respect of one of the incidents. In the circumstances, it would not be appropriate for me to comment further on those particular cases other than to encourage anyone who has information which might be of assistance to contact the Gardai, either in person or by using the Garda confidential line.

### **Naturalisation Applications**

140. **Deputy Patrick Nulty** asked the Minister for Justice and Equality if an application for naturalisation in respect of a person (details supplied) in Dublin 15 will be expedited; the reason for the delay; and if he will make a statement on the matter. [4431/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Irish Naturalisation and Immigration Service (INIS) that a valid application for a certificate of naturalisation has been received from the person referred to by the Deputy.

As the Deputy will appreciate, the granting of Irish citizenship through naturalisation is a privilege and an honour which confers certain rights and entitlements not only within the State but also at European Union level and it is important that appropriate procedures are in place to preserve the integrity of the process. While most cases are now generally processed within six months, the nature of the naturalisation process is such that, for a broad range of reasons, some cases will take longer than others to process. In some instances, completing the necessary checks can take a considerable period of time. I am informed that this application is being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation, such as good character and lawful residence, and will be submit-

ted to me for decision as expeditiously as possible.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Insolvency Service of Ireland Data**

141. **Deputy Ann Phelan** asked the Minister for Justice and Equality if he will provide in tabular form, broken down by county, the number of persons who have applied for debt relief notice, personal insolvency arrangement or debt settlement arrangements; the number of persons who have filed for bankruptcy since January 2013; and if he will make a statement on the matter. [4464/14]

142. **Deputy Ann Phelan** asked the Minister for Justice and Equality if he will provide, in tabular form, the average cost of engaging with a personal insolvency practitioner; the number of personal insolvency practitioners, broken down by county; and if he will make a statement on the matter. [4465/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 141 and 142 together.

The Insolvency Service of Ireland (ISI) has indicated that in the interest of confidentiality it will not be providing details or breakdowns of the numbers of applications for the various debt relief solutions received or being processed at this time. The ISI fully intends to provide quarterly statistics once a statistically meaningful number of applications have been processed. This is anticipated to be in the second quarter of 2014.

With regards to filings for bankruptcy, I am advised by the Courts Service that High Court jurisdiction covers all counties and that the Courts Service is unable to provide a county by county breakdown in relation to filings for bankruptcy. The Courts Service has provided the following data which relates specifically to applications for self-adjudication as distinct from applications by a creditor to have a debtor adjudicated bankrupt. In 2013, 19 applications were lodged in the Examiners Office, of which 17 were adjudicated bankrupt and 2 cases were adjourned to 2014. In 2014, 17 applications had been lodged in the Examiners Office as at 27 January 2014, of which 6 cases are listed before the Courts. The Courts Service has indicated the remaining cases are expected to be listed before the High Court during February 2014.

It is not possible to provide the average cost of engaging a Personal Insolvency Practitioner (PIP) because the ISI has no regulatory power over the level of fees that a PIP may charge. As at 27 January 2014 there are 110 PIPs authorised by the ISI and they have various fee models. Some PIPs do not charge a fee for an initial consultation while others do. A list of authorised PIPs can be found on the ISI's website, [www.isi.gov.ie](http://www.isi.gov.ie). In all cases fees, costs and outlays must be in accordance with the provisions of Regulation 15 of the Personal Insolvency Act 2012 (Authorisation and Supervision of Personal Insolvency Practitioners) Regulations (S.I. No. 209 of 2013). The PIP must at the outset of the Debt Settlement Arrangement or Personal Insolvency Arrangement process provide the person in writing with details of the fee arrangements and likely costs involved in entering into an arrangement before appointment. The fees and costs can be expected to form part of the arrangement and as such creditors will have an opportunity

to vote on them.

### Immigration Data

143. **Deputy Maureen O'Sullivan** asked the Minister for Justice and Equality if he would provide a breakdown for 2011 and 2012, similar to that provided on page 11 of the Irish Prison Service Annual Report of 2004 which showed the approximate length of detention of persons held for immigration-related issues in both 2011 and 2012; and if he will make a statement on the matter. [4476/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can advise the Deputy that there was 395 and 385 persons committed to custody for immigration related issues in 2011 and 2012 respectively. The breakdown of time spent in custody is set out in the table below.

Time spent in custody	2011	2012
0-3 days	220	245
4-7 days	68	45
8-14 days	39	29
15-30 days	36	31
31-50 days	14	23
51+ days	18	12
Total	395	385

I can advise the Deputy that the number of persons in this category is low.

On 31 December, 2013 there was a total of six persons in prison custody held solely on foot of a deportation/immigration order. The total number of persons in custody on that date was 3,975 meaning that the percentage of prison population in custody for this reason equates to 0.15% of the prison population.

### Direct Provision System

144. **Deputy Patrick Nulty** asked the Minister for Justice and Equality if his attention has been drawn to the fact that concerns have been raised regarding child protection issues in direct provision centres; the steps he proposes to take regarding same; and if he will make a statement on the matter. [4488/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Reception and Integration Agency (RIA) of my Department is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision. Direct provision accommodation ensures that all persons awaiting a determination on their asylum or related applications are provided with the basic needs of food and shelter as well as other State services such as health, education and community welfare supports.

In the absence of specific detail about what child protection concerns are referred to in the question, I will set out below the suite of supports and services applying within the structures of the direct provision policy and show the level of protection and services available across the relevant State agencies.

The accommodation itself provided by RIA in the direct provision system complies with relevant legislative standards. In addition to the accommodation services, both RIA and other State service providers, particularly the HSE, link in with the direct provision centres and provide on-site services and monitoring of children and families through Public Health Nurse and GP services, social work teams, mental health specialists and through the positive engagement of accommodation centre management teams. Residents of direct provision qualify for a medical card, entitling them to a range of medical services without charge. Also, the Community Welfare Service holds clinics in many of our centres to assist families with needs which may fall to be assisted under the Exceptional Needs Payments structures. These State services link closely with RIA in terms of needs assessments, case conferences and follow-up services.

As regards education, children of asylum seekers are linked to local mainstream primary and post-primary schools as well as ECCE pre-school placements in a like manner to the general population and the role of the accommodation centre manager is central to this process.

Children of asylum seekers can also access recreational facilities available in the locality in which they are living. Some Direct Provision Centres have on-site playgrounds. Many individual centres will provide other facilities and will also facilitate NGO's who organise outings and other activities. Homework clubs are also provided at certain family centres. Details of the on-site and local services available to children and families across the direct provision system are set out in the RIA's Annual Report for 2012 which can be found on the agency's website at [www.rie.gov.ie](http://www.rie.gov.ie).

RIA also has a Child Protection Policy based on the HSE's "Children First - National Guidelines for the protection and welfare of children". A Child and Family Services unit in RIA is well established and its role is to manage, deliver, coordinate, monitor and plan all matters relating to child and family services for all persons residing in RIA accommodation centres and to act as a conduit between RIA and the HSE. In conjunction with the HSE, RIA is currently updating its existing Child Protection Policy, in line with the recent revisions to "Children First". RIA is currently liaising with the HSE regarding the re-training of the Designated Liaison Officers. The HSE hopes to be in a position to facilitate this training shortly.

All staff of centres under contract to RIA are Garda vetted. It is an important aspect of RIA's Child Protection policy which has, as its principal aim, the minimisation of risk to children and vulnerable adults residing in Direct Provision centres. In keeping with this policy, children must be supervised by adults at all times. They are not permitted to be left alone overnight. In addition, children cannot be accommodated in a room separate from their parents save through interconnecting rooms.

Management of accommodation centres are obliged to ensure that all staff working in the centre are aware of, and adhere to, RIA's Child Protection Policy. In addition, the HSE have provided 'Keeping Safe' child protection training to designated officers, and other staff members, in accommodation centres.

RIA is also currently finalising, in consultation with Cosc and NGOs, a policy on "Domestic, Sexual and Gender-based Violence and Harassment" to provide guidance and contact information for staff and residents at Direct Provision centres.

The system of Direct Provision allows for a level of non-intrusive supervision of residents which would not be found in general alternative living arrangements in the community. Centre staff, designated liaison officers and management are always available to assist. Public Health Nurses, General Practitioners, Community and Ethnic Liaison Gardaí and others linked in with an accommodation centre are alert to child welfare issues. They also provide support for families within the Direct Provision System.

## Naturalisation Applications

145. **Deputy Patrick Nulty** asked the Minister for Justice and Equality if an application for naturalisation will be expedited in respect of a person (details supplied) in Dublin 15; and if he will make a statement on the matter. [4489/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I am advised by the Irish Naturalisation and Immigration Service (INIS) of my Department that a valid application for a certificate of naturalisation has been received from the person referred to by the Deputy.

The application is currently being processed with a view to establishing whether the applicant meets the statutory conditions for the granting of naturalisation and will be submitted to me for decision as expeditiously as possible.

The Deputy may wish to note that queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been established specifically for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

## Garda Complaints Procedures

146. **Deputy Gerald Nash** asked the Minister for Justice and Equality if he will establish with the Garda Commissioner the number of individual members of An Garda Síochána who have referred complaints through the Garda confidential procedure for each year since the inception of the procedure; and if he will make a statement on the matter. [4493/14]

156. **Deputy Pádraig Mac Lochlainn** asked the Minister for Justice and Equality the number of members of An Garda Síochána who have come forward to make complaints to the confidential recipient. [4554/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions Nos. 146 and 156 together.

The Garda Síochána (Confidential Reporting of Corruption or Malpractice) Regulations 2007 provide for the appointment, and functions, of a Confidential Recipient to whom members of the Force can report, in confidence, instances where they believe there may be corruption or malpractice within the Force. The Confidential Recipient is required to transmit each report to the Commissioner but, in doing so, is bound to protect the identity of the confidential reporter.

Regulation 15(1) of the Confidential Reporting of Corruption or Malpractice Regulations 2007 requires the Garda Commissioner to report to me not later than four months after the end of each year in relation to any confidential reports made during that year. The number of confidential reports made during the years concerned is set out below.

Year	No of Reports
2008	2
2009	4
2010	2
2011	1
2012	3

The Garda Commissioner will report in relation to 2013 in due course.

### Prison Committals

147. **Deputy Thomas Pringle** asked the Minister for Justice and Equality if he will provide a list of the detention institutions in the Irish Prison Service annual reports of 2011 and 2012 regarding committals in respect of immigration issues; the number of persons detained in each institution; if he will provide a breakdown of the gender and age of persons held under immigration related issues. [4517/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I can advise the Deputy that there was 395 and 385 persons committed to custody for immigration related issues in 2011 and 2012 respectively.

The number of persons detained in each institution is set out in a table.

Committal Prison	2011	2012
Castlerea Prison	3	7
Cloverhill Remand Prison	256	252
Cork Prison	30	22
Limerick Prison (Female)	5	7
Limerick Prison (Male)	4	4
Mountjoy Prison (Female)	96	87
Wheatfield Place of Detention	1	6
Total	395	385

A breakdown of the gender and age of persons held under immigration related issues is set out in a table.

Age	2011	2011	-	2012	2012	-
Age Group	Female	Male	Total	Female	Male	Total
18 to and lt; 21	4	18	22	6	24	30
21 to and lt; 25	14	52	66	10	32	42
25 to and lt; 30	31	73	104	18	88	106
30 to and lt; 40	33	100	133	32	98	130
40 to and lt; 50	11	42	53	19	38	57
50 to and lt; 55	2	5	7	4	8	12
55 to and lt; 60	5	2	7	2	2	4

Age	2011	2011	-	2012	2012	-
60 to and lt; 65	1	1	2	3	1	4
65 to and lt; 70	0	1	1	0	0	0
Total	101	294	395	94	291	385

### Asylum Applications

148. **Deputy Bernard J. Durkan** asked the Minister for Justice and Equality the current residency status in the case of a person (details supplied) in County Cork; and if he will make a statement on the matter. [4518/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The question of residency status does not arise at this time in the case of the person whose details were supplied. As the Deputy is aware, if the person concerned has made an application for asylum or subsidiary protection, the position is that it is not the practice to comment on such applications for so long as they are in the protection process.

### Prison Committals

149. **Deputy Terence Flanagan** asked the Minister for Justice and Equality his views on correspondence regarding prison sentences (details supplied); and if he will make a statement on the matter. [4519/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** It has generally been the policy where possible and appropriate to ensure that prisoners are located as close to their home as possible to facilitate visits from family and friends. However, this is not always possible for operational and security reasons. It is worth noting that maintaining family relationships can help to prevent prisoners re-offending and assist them to resettle successfully into their community. In this regard too, international research has found that prisoners who maintain good family contact are more likely to have employment and housing options on leaving prison and are less likely to re-offend.

### Naturalisation Applications

150. **Deputy Peadar Tóibín** asked the Minister for Justice and Equality the average waiting time to process a naturalisation application; the measures being taken to reduce the waiting time; the average cost of each naturalisation process; and the cost to the State for each month an applicant has to wait. [4536/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** As the Deputy will appreciate, as well as being a significant event in the life of its recipient, the granting of Irish citizenship through naturalisation is also a major step for the State as it confers certain rights and entitlements, not only within the State, but also at European Union level. It is therefore vital that appropriate procedures are in place to preserve the integrity of the process. All applications are processed with a view to establishing whether the applicants meet the statutory conditions for the granting of naturalisation, such as good character and lawful residence, and are submitted to me for decision as expeditiously as possible. In some instances that can be established

relatively quickly and in other cases completing the necessary checks can take a considerable period of time.

When I came into office in March 2011 one of my immediate priorities was to address the unconscionably large backlog of applications for naturalisation awaiting decision that had built up over several years. At that time there were approximately 22,000 applications awaiting decision, many of which had been waiting for three years or longer.

Since then I have decided on some 68,000 applications, notwithstanding a significant increase of almost 60% in the volume of valid applications received - from 12,500 in 2010 to nearly 20,000 in 2013. In the past year I have decided over 30,000 applications and issued certificates of naturalisation to some 28,000 applicants. Quite clearly, this has also resulted in a huge reduction in processing times, with over 70% of standard applications now being decided within six months. I think the Deputy will agree that this represents a major turnaround, especially given the 115% increase in valid application levels since 2008, when processing times were more than four times longer. It is my intention that we will continue to build on this success in 2014 and to further reduce the time taken to reach a decision for most applications.

The new arrangements I have put in place since my appointment include improved application forms that are currently available on-line together with streamlined and accelerated procedures for certain types of application. I have also requested that my officials ensure that all the procedures involved in processing an application are reviewed regularly to ensure that they are conducted as efficiently as possible.

The costs paid by applicants on the issue of a certificate of naturalisation were last increased by the Irish Nationality and Citizenship (Fees) Regulations 2008, which came into effect on 1st August 2008. The standard certification fee is €950 while a reduced fee of €200 applies in the case of an application made on behalf of a minor or in certain circumstances when the application is made by a widow, widower or surviving civil partner of an Irish citizen. In the case of refugees and stateless persons no certification fee is charged. A new application fee of €175 was introduced in November 2011. This fee contributes towards the costs of processing those applications that do not attract any certification fee and helps to reduce the proportion of invalid and ineligible applications being lodged. The fees are designed to reflect the effort and cost involved in processing applications for a certificate of naturalisation and there are no additional costs to the State relating to the length of time taken to process each application.

As the Deputy will be aware, I have introduced formal citizenship ceremonies at no extra cost to applicants. These have been universally well received by participants as the ceremonies provide a sense of occasion that serves to underscore the importance to both the State and the applicant of the granting of Irish citizenship.

### **Citizenship Applications**

151. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality when a decision on citizenship will be made on an application in respect of persons (details supplied) in Dublin 22. [4537/14]

152. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality if his attention has been drawn to the fact that a family of two adults and three children (details supplied) in Dublin 22 has lived in a hostel for seven years awaiting a decision on a citizenship application. [4538/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** I propose to take Questions

Nos. 151 and 152 together.

Officials in the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) of my Department inform me that there is no record of an application for a certificate of naturalisation from the persons referred to in the Deputy's question. If the persons concerned have made applications for asylum or subsidiary protection, the position is that it is not the practice to comment on such applications for so long as they are in the protection process.

As the family's accommodation arrangements are the subject of a separate parliamentary question from the Deputy, that matter is not dealt with in this response.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

### **Asylum Seeker Accommodation**

153. **Deputy Aengus Ó Snodaigh** asked the Minister for Justice and Equality if consideration will be given to moving a family (details supplied) in Dublin 22 from a one-room hostel accommodation to Watergate Apartments where they will have more space and will be able to cook meals. [4539/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Reception and Integration Agency (RIA) of my Department is responsible for the accommodation of asylum seekers in accordance with the Government policy of direct provision and dispersal. Direct provision provides for full board accommodation supports while a final decision is awaited by a person on their asylum and related applications.

The family referred to in the details supplied comprise a father, mother and three small children. The father only presented for direct provision accommodation in December, 2013 to join his wife and children who had been accommodated there for some time previously and his request was granted. To date, no transfer request has been received by RIA in respect of this family.

If the family wish to be accommodated at an alternative accommodation centre, they should apply in writing to the Reception and Integration Agency at PO Box 11487, Dublin 2. In relation to Watergate House accommodation centre, this is a self-catering facility which is designated for cases where there is an exceptional need: for example, serious medical concerns. There is no suitable accommodation for this size of family at Watergate House at present and no documentation has been provided to support an exceptional need in this instance.

If the family choose to apply for a transfer from Clondalkin accommodation centre, RIA will look at alternative accommodation options around the country for the family and respond directly to the family.

### **Charities Regulation**

154. **Deputy Billy Timmins** asked the Minister for Justice and Equality the amount of funding Rehab received through sales of its lottery scratch card for the years 1997 to 2013,

inclusive; the profit made on this aspect of Rehab business for those years; the amount of grant aid it received for these years based on such sales; and if he will make a statement on the matter. [4544/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** The Charitable Lotteries Scheme was established in 1997 to provide assistance to the promoters of certain private charitable lotteries that have products similar to products sold by the National Lottery. From its establishment until 2011, the Charitable Lotteries Fund was administered by the Department of Finance. In mid 2011 responsibility for its administration was transferred to my Department and details of payments made to Rehab under the Charitable Lotteries Scheme for 2011, 2012 and 2013 are as follows:

#### Rehab sales and funding under the Charitable Lottery Scheme 2011 - 2013

<b>2010 Gross Sales (scratch card and pull tab instant win lotteries)</b>	<b>2010 Net Profit (scratch card and pull tab instant win lotteries)</b>	<b>2011 Charitable Lotteries Scheme allocation</b>
€3,968,773	€9,452	€3,905,661
<b>2011 Gross Sales (scratch card and pull tab instant win lotteries)</b>	<b>2011 Net Profit (scratch card and pull tab instant win lotteries)</b>	<b>2012 Charitable Lotteries Scheme allocation</b>
€3,814,081	Figure unavailable, see note below	€3,923,659

<b>2012 Gross Sales (scratch card and pull tab instant win lotteries)</b>	<b>2012 Net Profit (scratch card and pull tab instant win lotteries)</b>	<b>2013 Charitable Lotteries Scheme allocation</b>
€3,412,272	Figure unavailable, see note below	€2,581,293

Note: The source of this information on gross sales and net profits is material provided by Rehab in support of its applications for funding in the years 2011, 2012, and 2013. A breakdown of net profit by lottery product type was not supplied in 2012 or 2013 so it is not possible to supply this information. Instead a combined net profit from lottery and bingo sales for the years 2011 and 2012 was provided. This was €590,779 in 2011 and €514,558 in 2012.

#### Naturalisation Applications

155. **Deputy Peadar Tóibín** asked the Minister for Justice and Equality the reason a person (details supplied) has waited since the first quarter of 2011 for his or her naturalisation to be processed and a decision made. [4550/14]

**Minister for Justice and Equality (Deputy Alan Shatter):** Officials in the Citizenship Division of the Irish Naturalisation and Immigration Service (INIS) of my Department inform me that there is no record of an application for a certificate of naturalisation from the person referred to in the Deputy's question. However, in February, 2012, the person concerned submitted an application for leave to remain in the State based on the principles of the Zambrano Judgment. When consideration of this application has been completed, the person concerned

will be notified in writing of the outcome.

It is open to any individual to lodge an application for citizenship if and when they are in a position to meet the statutory requirements as prescribed in the Irish Nationality and Citizenship Act 1956 as amended.

Queries in relation to the status of individual immigration cases may be made directly to INIS by e-mail using the Oireachtas Mail facility which has been specifically established for this purpose. This service enables up to date information on such cases to be obtained without the need to seek information by way of the Parliamentary Questions process. The Deputy may consider using the e-mail service except in cases where the response from INIS is, in the Deputy's view, inadequate or too long awaited.

*Question No. 156 answered with Question No. 146.*

### **Building Regulations Compliance**

157. **Deputy Kevin Humphreys** asked the Minister for Defence regarding the current capital building projects under the remit of his Department and the building programmes planned for 2014, if he will outline the impact the new building control regulations 2013, which will come into effect on 1 March, will have on the costs of each specific project; if he will list the projects under way; the additional costs that will be incurred on each due to increased professional fees generated by increased supervision; and if he will make a statement on the matter. [4363/14]

**Minister for Defence (Deputy Alan Shatter):** External providers of design services are engaged for the major capital projects undertaken by the Department and full compliance with all building regulations is already an integral requirement of the work of each Design Team retained for Defence projects. Consequently, it is anticipated that there should be no additional cost to the Department as a result of the introduction of the new regulations.

The major capital projects for which design teams are currently engaged include: Cathal Brugha Barracks - Military Archives Facility; McKee Barracks - North Accommodation Block Re-roofing; Casement Aerodrome - Replacement for Hangar No 1; Casement Aerodrome- Re-furbishment of Cookhouse/Dining Hall.

### **Defence Forces Reserve**

158. **Deputy Bernard J. Durkan** asked the Minister for Defence if he will provide, in tabular form, the number of Reserve Defence Forces recorded, by brigade, on the PMS system as having attended unpaid training in 2013, showing separately those who completed less than 20 hours, 21 to 30 hours and more than 30 hours; and if he will make a statement on the matter. [4451/14]

**Minister for Defence (Deputy Alan Shatter):** It was not possible to provide the detailed information sought by the Deputy in the time available. My Department is currently seeking to compile the relevant data and I will provide the information directly to the Deputy once it comes to hand.

### **Defence Forces Reserve**

159. **Deputy Seán Ó Fearghail** asked the Minister for Defence in view of the current re-organisation of the Defence Forces into a single force concept and the fact that it requires reserve members to give more of their time to the service of the State, if he will bring forward employment protection legislation to ensure that employers must give a certain amount of days a year to employees engaging in the reserve service; and if he will make a statement on the matter. [4466/14]

**Minister for Defence (Deputy Alan Shatter):** A Value for Money (VFM) Review of the Reserve Defence Force (RDF) was published in November 2012. It set out a number of recommendations aimed at improving the capacity of the RDF and ensuring its continued viability. These recommendations included the consolidation of a large number of under-strength Units into a smaller number of full strength Units. A major re-organisation of the Army Reserve (AR) and Naval Service Reserve (NSR) was implemented in 2013 and the RDF is now organised alongside the Permanent Defence Force (PDF) within a more efficient single force structure.

Separately, the VFM Review highlighted an inconsistency where a member of the Reserve could be classed as effective; yet fail to meet minimum training targets that had been set out in plans for the Reserve. The retention of personnel who do not meet minimum training requirements has a detrimental effect on the capacity and morale of the Reserve. In this context, the VFM Review recommended a review of the criteria for categorising Reservists as effective.

The military authorities have developed proposals in this regard and this is one of a range of measures aimed at reforming the RDF. I have received no recommendations relating to the introduction of employment protection legislation and I can see no basis for such a recommendation. The intention is that actual training requirements will be accurately reflected in regulations governing retention on the effective strength of the Reserve. In practice this will mean a requirement that Reservists meet training requirements that have been in place for many years rather than an increase in the level of training for the AR and NSR.

### **Disadvantaged Areas Scheme Payments**

160. **Deputy Michael Moynihan** asked the Minister for Agriculture, Food and the Marine the reason persons (details supplied) in County Cork have not received their disadvantaged area payment; and if he will make a statement on the matter. [4346/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2013 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 13 May 2013, processing of which has recently been finalised. Payments under the Disadvantaged Areas Scheme issued directly to the nominated bank account of the person named on the 27 January 2014.

### **Horse Racing Industry Funding**

161. **Deputy Pearse Doherty** asked the Minister for Agriculture, Food and the Marine the Exchequer supplement paid to Horse Racing Ireland in 2013 and the estimated cost in 2014. [4348/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Government support for the horse and greyhound racing industries is provided under the Horse and Greyhound Racing Fund, established under Section 12 of the Horse and Greyhound Racing Act, 2001. In accordance with the Act, 80% and 20% of the monies paid into the Fund each year

are distributed between Horse Racing Ireland and Bord na gCon, respectively. The amounts provided under this measure are approved by both Houses of the Oireachtas on an annual basis.

The horse and greyhound racing industries generate very substantial economic activity and make a vital contribution to the rural economy including farm incomes. These industries attract significant inward investment into the country. The most recent estimates available report that the horse racing industry contributes €1.1m to the economy and support 14,000 jobs.

Receipts from excise duty collected on off-course betting amounted to €27.1m in 2012 and €25.4m in 2013. The revenue stream from betting will increase when the Betting (Amendment) Bill 2014, which is currently being considered by the Oireachtas, is enacted. This legislation will bring remote and on-line betting within the regulatory framework and the tax net.

The amounts paid from the Fund to HRI in 2013 and the amount to be paid in 2014 is as follows:

-	2013	2014
Horse Racing Ireland	€44,016,000	€43,376,000

The level of State support provided to the horse racing industry has dropped by 29% since 2008.

### Building Regulations Compliance

162. **Deputy Kevin Humphreys** asked the Minister for Agriculture, Food and the Marine in respect of capital building projects under the remit of his Department and the building programmes planned for 2014, if he will outline the impact the new building control regulations 2013, that come into effect on 1 March, will have on the costs of each specific project; if he will list the projects under way; the extra costs that will be incurred on each project due to increased professional fees and increased supervision; and if he will make a statement on the matter. [4359/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** My Department does not have any capital building projects underway that will be impacted by the new Building Control Regulations 2013.

### Agriculture Schemes Appeals

163. **Deputy Michael Healy-Rae** asked the Minister for Agriculture, Food and the Marine the position regarding an appeal in respect of a person (details supplied) in County Kerry; and if he will make a statement on the matter. [4417/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** I can inform the Deputy the applicant was advised of the outcome to his appeal earlier this week.

### Rural Environment Protection Scheme Payments

164. **Deputy John O'Mahony** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) in County Mayo will receive his or her REPS 4 payment; the reason for the delay; and if he will make a statement on the matter. [4456/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named commenced REPS 4 in August 2009 and received payments for the first four years of their contract. REPS 4 is a measure under the 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. This process has now been completed for 2013 payments and the Year 5 (75%) payment amounting to €4,295.74 issued to the person named on 27 January 2014. The remaining 25% balancing payment will issue shortly.

### **Disadvantaged Areas Scheme Payments**

165. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine if area based compensation will be granted in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [4469/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** An application under the 2013 Single Payment Scheme/Disadvantaged Areas Scheme was received from the person named on 26 April 2013. Processing of the application was recently finalised following the resolution of matters concerning compliance with the Scheme minimum stocking density requirements. Payments under the Disadvantaged Areas Scheme are due to issue shortly to the nominated bank account of the person named.

### **Forestry Management**

166. **Deputy Sean Sherlock** asked the Minister for Agriculture, Food and the Marine the timetable for the reopening of Gougane Barra Forest Park following the planned destruction of 16,000 trees due to an outbreak of the fungus phytophthora ramorum; and if he will make a statement on the matter. [4472/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Coillte Teoranta was established as a private commercial company under the Forestry Act, 1988 and day-to-day operational matters, such as the management of their forest estate, are the responsibility of the company.

The company has, however, advised that, in relation to the disease control measures in Gougane Barra Forest Park, Cork, the felling operation commenced on 20th January 2014 and that, following the felling, the site will be replanted. The company has also advised that the Park will close for the duration of the process, which includes harvesting, timber removal and replanting, all of which Coillte estimate will take up to six months.

### **Agri-Environment Options Scheme Payments**

167. **Deputy Noel Harrington** asked the Minister for Agriculture, Food and the Marine when a person (details supplied) will receive their 2012 and 2013 AEOS payments; and if he will make a statement on the matter. [4474/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named was approved for participation in the Agri-Environment Options Scheme (AEOS 3) with effect from 1 May 2013 and therefore the question of payment in respect of 2012 does not arise.

Under the EU Regulations governing the Scheme and other area-based payment schemes,

a comprehensive administrative check, including cross-checks with the Land Parcel Identification System, must be completed before any payment can issue. These checks are well under way and I anticipate that payments for the AEOS 3 in respect of 2013 will commence in March 2014.

### **Land Issues**

168. **Deputy Dan Neville** asked the Minister for Agriculture, Food and the Marine if a digital map will be issued in respect of a person (details supplied) in County Limerick; and if he will make a statement on the matter. [4478/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** A further letter and map regarding the ineligible areas identified following a recent review of the land parcels declared by the person named have issued to the person named. While the file will be reviewed, as requested by the Deputy, the person named should nevertheless examine the map provided and identify any errors which he considers have been made and notify these to my Department as soon as possible, in order to ensure a comprehensive review of the position.

### **TB Eradication Scheme**

169. **Deputy Denis Naughten** asked the Minister for Agriculture, Food and the Marine the reason a farmer cannot buy cattle when his or her herd is locked up with TB; if he will review a change in policy; and if he will make a statement on the matter. [4490/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The restrictions on buying further animals into herds where the presence of TB has been confirmed derive from the EU legislation governing bovine TB eradication programmes. Article 17 of Council Directive 78/52 EEC requires that a herd in which bovine TB is confirmed is not restocked until after the cattle identified as reactors are slaughtered and all cattle, over six weeks old, remaining in the herd have passed one or more official tuberculosis tests. Once a herd passes such a test, it may be restocked under permit from the District Veterinary Office.

Given that this requirement derives from binding EU legislation, it is not open to my Department to depart from it.

### **Disadvantaged Areas Scheme Payments**

170. **Deputy Noel Coonan** asked the Minister for Agriculture, Food and the Marine when an area aid disadvantaged payment will issue to a person (details supplied) in County Tipperary; the reason for the delay; and if he will make a statement on the matter. [4524/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** Payment under the 2013 Disadvantaged Areas Scheme has not yet issued to the person named due to issues highlighted in relation to compliance with the Scheme Terms and Conditions, specifically relating to the definition of an 'equine breeding operation'. As the matter has recently been resolved, following correspondence with the person named, the application is now being further processed with a view to payment at an early date, which will shortly issue directly to the nominated bank account of the person named.

### **Rural Environment Protection Scheme Payments**

171. **Deputy Thomas Pringle** asked the Minister for Agriculture, Food and the Marine the position regarding a REP scheme payment in respect of a person (details supplied) in County Donegal; and if he will make a statement on the matter. [4547/14]

**Minister for Agriculture, Food and the Marine (Deputy Simon Coveney):** The person named commenced REPS 4 in May 2008 and received payments for the first five years of their contract.

REPS 4 is a measure under the 2007-13 Rural Development Programme and is subject to EU Regulations which require detailed administrative checks on all applications to be completed before any payments can issue. Following the administrative check an area discrepancy was discovered between the Single Farm Payment Scheme application for 2013 and the REPS Agri-Environmental Plan which has resulted in the necessity for further clarification. This issue is currently being investigated with the intention of an early resolution and payment.

### **Building Regulations Compliance**

172. **Deputy Kevin Humphreys** asked the Minister for Children and Youth Affairs in respect of capital building projects under the remit of her Department and the building programmes planned for 2014, if she will outline the impact the new building control regulations 2013, that come into effect on 1 March, will have on the costs of each specific project; if she will list the projects under way; the extra costs that will be incurred on each project due to increased professional fees and increased supervision; and if she will make a statement on the matter. [4361/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** My Department has been advised by the OPW, that the Building Control Regulations 2013, introduced by the Department of Environment, Community and Local Government, do not come into force until 1 March, 2014 and that they are not retrospective for projects commenced prior to this date. The only capital building project currently underway within the remit of my Department is in respect of the National Children Detention Facilities. The new regulations have no impact on costs for Children Detention School capital expenditure at this time and will not apply to the NCDF as this project is already commenced.

### **Departmental Funding**

173. **Deputy John Lyons** asked the Minister for Children and Youth Affairs if she will clarify reports that core funding for the Rape Crisis Network Ireland, which is under the aegis of the Child and Family Agency, will cease from 31 March 2014; and if she will make a statement on the matter. [4458/14]

**Minister for Children and Youth Affairs (Deputy Frances Fitzgerald):** Responsibility for the funding of Rape Crisis Centres and Refuges previously funded by the HSE became the responsibility of the new Child and Family Agency upon its establishment on 1st January, 2014. I wish to advise the Deputy that as part of establishment of the new Child and Family Agency, a dedicated position of Programme Manager for domestic, sexual and gender based violence is being created. I am pleased to say that the National Programme Manager is due take up the post on 3rd February next. Since the establishment of the Child and Family Agency on 1st January, 2014 there has been a single line of accountability for all resources made available to services responding to domestic, sexual and gender based violence. Previously there was a range of local funders in children's services, primary care and social inclusion. I would like to further

assure the Deputy that funding is ring-fenced to provide frontline services in this area.

With respect to support services, I am advised that Rape Crisis Network of Ireland (RCNI) had a two year contract with the HSE which was due to finish on 31st December, 2013. This contract was extended to 31st March, 2014, but due to the level of the support services involved and the value of the contract, a tendering process for reappointment of a service is required. The National Programme Manager with special responsibility for Domestic Sexual and Gender Based Violence will work with the Head of Procurement in the Agency to develop a tender process. It is open to all qualified providers, including the RCNI, to tender for this new contract. As the provision of these supports will involve a tendering process, I hope the Deputy will appreciate that I cannot go into too much further detail in advance of the contracts being placed.

### **Hospital Appointments Administration**

174. **Deputy Timmy Dooley** asked the Minister for Health the reason a person (details supplied) in County Clare who was put on a waiting list for an urgent MRI at Limerick Regional Hospital on 21 October 2013 was deleted from the list but subsequently reinstated on 24 October with no urgent status recorded at that time; and if he will make a statement on the matter. [4349/14]

**Minister for Health (Deputy James Reilly):** In relation to the specific hospital appointment query raised by the Deputy, as this is a service matter it has been referred to the HSE for direct reply.

### **Dental Services Waiting Lists**

175. **Deputy Pat Breen** asked the Minister for Health to set out his proposals to assist in reducing the long waiting lists for orthodontic care in the mid-west region; and if he will make a statement on the matter. [4354/14]

**Minister of State at the Department of Health (Deputy Alex White):** The HSE has commissioned an independent national review of orthodontic services, which will give guidance as to what changes will be desirable to provide the best possible model of care delivery. I have asked the HSE to reply directly to the Deputy regarding the provision of orthodontic services in the Mid West Region.

### **Building Regulations Compliance**

176. **Deputy Kevin Humphreys** asked the Minister for Health in respect of capital building projects under the remit of his Department and the building programmes planned for 2014, if he will outline the impact the new building control regulations 2013, that come into effect on 1 March, will have on the costs of each specific project; if he will list the projects under way; the extra costs that will be incurred on each project due to increased professional fees and increased supervision; and if he will make a statement on the matter. [4368/14]

**Minister for Health (Deputy James Reilly):** Managing the delivery of healthcare construction projects is a service matter. Therefore your question has been referred to the Health Service Executive for direct reply.

In relation to the smaller agencies directly funded by my Department, information in relation to the impact of the new Building Control Regulations 2013 on building projects currently

underway is not available at the moment. Such information will be forwarded on its receipt.

### **Hospital Appointments Administration**

177. **Deputy Robert Troy** asked the Minister for Health if he will expedite a heart operation in respect of a person (details supplied) in County Westmeath. [4391/14]

**Minister for Health (Deputy James Reilly):** The National Waiting List Management Policy, *A standardised approach to managing scheduled care treatment for in-patient, day case and planned procedures, January 2013*, has been developed to ensure that all administrative, managerial and clinical staff follow an agreed national minimum standard for the management and administration of waiting lists for scheduled care. This policy, which has been adopted by the Health Service Executive, sets out the processes that hospitals are to implement to manage waiting lists.

In relation to this particular query raised by the Deputy, I have asked the HSE to respond directly to the Deputy in this matter.

### **Dental Services Provision**

178. **Deputy Derek Nolan** asked the Minister for Health the date on which a person (details supplied) will have all necessary dental treatment carried out at the St. Francis Private Hospital, Mullingar, County Westmeath, as per commitments by the Health Service Executive to that effect; and if he will make a statement on the matter. [4395/14]

**Minister of State at the Department of Health (Deputy Alex White):** I have asked the HSE to investigate this case and respond to the Deputy as soon as possible.

### **Health Services Provision**

179. **Deputy Derek Nolan** asked the Minister for Health to outline his plans to introduce a Huntington's disease neurology clinic here; and if he will make a statement on the matter. [4396/14]

**Minister for Health (Deputy James Reilly):** As this is a service matter, I have asked the HSE to respond directly to the Deputy.

### **Hospital Services**

180. **Deputy Niall Collins** asked the Minister for Health his plans for the future delivery of paediatric hospital services at Tallaght Hospital. [4408/14]

**Minister for Health (Deputy James Reilly):** The new children's hospital, when built, will bring together Our Lady's Children's Hospital Crumlin, Children's University Hospital Temple Street and the paediatric service at Tallaght Hospital in one state-of-the-art facility on the campus of St. James's Hospital. A single national children's hospital, co-located with St. James's and, ultimately, tri-located with a maternity hospital, will provide the excellence in clinical care that our children deserve.

As part of previous plans for the new children's hospital on the campus of the Mater Hospital, it had been intended that there would be an ambulatory and urgent care centre on the campus of Tallaght Hospital. Following the Government decision in November 2012 to locate the main new children's hospital at St. James's, a review of the ambulatory and urgent care centre plan was undertaken. This has now been completed and yesterday I announced that satellite centres of the new children's hospital would be developed on the campuses of Tallaght Hospital and of Connolly Hospital.

As well as being a national tertiary hospital for more complex care, the new children's hospital is a regional hospital for children in the Greater Dublin Area. These satellite centres will be an integral part of the hospital, under the same governance and management, providing the same clinical standards and with the same staff who will rotate through the main hospital and the satellite centres. Each centre will provide consultant-delivered urgent care, with observation beds (up to 6 hours stay) and appropriate diagnostics (X-ray and laboratory). The vast majority of children and young people attending the centre are expected to be treated and discharged. In addition to providing local access for urgent care, the centres will also provide local access to outpatient care, including general paediatric rapid access clinics for GP referral.

The announcement of these satellite centres marks another important milestone for the new children's hospital, further ensuring that we will deliver better outcomes for our children and young people, well into the future.

### **Hospital Services**

181. **Deputy Niall Collins** asked the Minister for Health his plans to honour his previously stated commitment to move the Coombe Women and Infants University Hospital to Tallaght; and if he will make a statement on the matter. [4409/14]

**Minister for Health (Deputy James Reilly):** A comprehensive review of maternity and gynaecology services in the greater Dublin area was completed in 2008. The KPMG Independent Review of Maternity and Gynaecology Services in the Greater Dublin Area Report was informed by an international analysis of maternity and gynaecology service configurations and best practice models of care.

The report noted that Dublin's model of stand-alone maternity hospitals is not the norm internationally. It recommended that the Dublin maternity hospitals should be located alongside adult acute services and that one of the three new Dublin maternity facilities should be built on the site of the new children's hospital (tri-location of paediatric, maternity and adult services). In this context the proposal was that the National Maternity Hospital was to be relocated to St. Vincent's, the Coombe Women and Infants University Hospital to Tallaght and the Rotunda to the Mater. In May this year, I announced the relocation of the National Maternity Hospital to the St. Vincent's campus.

Recognising the need to plan for the provision of tri-located maternity, paediatric and adult services, and in view of the Government decision to locate the new children's hospital on the St James campus, it will be necessary to review the other maternity-adult co-location plans. This review will take place in the context of the development of a National Maternity Strategy. I confirmed on 10 October last that my Department will lead the development of this Strategy in collaboration with the HSE and its National Clinical Programme in Obstetrics and Gynaecology. The Strategy will provide the blueprint for the safe, effective delivery of maternity services nationally. The development of the Strategy will build on the work already undertaken as part of the KPMG Independent Review, and on the work underway by the Clinical Programme.

## Hospitals Data

182. **Deputy Billy Kelleher** asked the Minister for Health if his Department has drawn up a report on mortality rates in hospitals; the status of this document; his plans to publish a report on mortality; and if he will make a statement on the matter. [4412/14]

**Minister for Health (Deputy James Reilly):** The CMOs Office of my Department has been developing a report entitled “Healthcare Quality Indicators in the Irish Health System: Examining the Potential of Hospital Discharge Data using the Hospital In-Patient Enquiry System”. This work demonstrates the value of using the Hospital In-Patient Enquiry (HIPE) system to derive quality measure that will support a greater knowledge and understanding of health care quality. A number of quality measures derived from HIPE were assessed for feasibility including 30 day in-hospital mortality rates associated with specific conditions.

Following consultation and analysis this report is currently being finalised with a view to publication in the near future.

## HSE Legal Cases

183. **Deputy Billy Kelleher** asked the Minister for Health the number of claims for compensation after cancer misdiagnosis that have been taken against the Health Service Executive, its officers or public voluntary hospitals in each of the past ten years; the nature of the claims; the date and the hospitals involved; the number of cases that were settled; the amount in total paid out in settlement for each claim; the number of claims that are outstanding; the specific budget set aside for dealing with any such outstanding claims; and if he will make a statement on the matter. [4413/14]

**Minister for Health (Deputy James Reilly):** The Deputy’s questions relate to service delivery matters and accordingly I have asked the HSE to respond directly to him.

## Primary Care Centre Provision

184. **Deputy John Lyons** asked the Minister for Health if he will provide an update on the roll-out of primary health care centres around the country; and if he will clarify which centres have been completed and are operational, which are at planning stage and which have not moved on to the planning stage. [4423/14]

185. **Deputy John Lyons** asked the Minister for Health if his Department is planning a further roll-out of primary care centres following the completion of the current programme. [4424/14]

**Minister of State at the Department of Health (Deputy Alex White):** I propose to take Questions Nos. 184 and 185 together.

The development of primary care is central to the Government’s objective to deliver a high quality, integrated and cost effective health care system. Supporting infrastructure, procured through a combination of public and private investment, will facilitate the delivery of multi-disciplinary primary health care. The location prioritisation exercise initiated by the HSE in 2012 is a dynamic process, constantly evolving to take account of changing circumstances including the feasibility of implementation using the following delivery mechanisms:

- direct/own-build (by HSE);
- by way of the operational lease with the private sector; or
- through the Public Private Partnership (PPP) project.

In addition to the infrastructure already in place thirty four primary care centres have been delivered between March 2011 and December 2013. These locations are set out in the following table. The Health Service National Service Plan 2014 (Appendix 5 Capital Infrastructure Pages 68, 69) advises that an additional 21 primary care centres are expected to open over 2014/Q12015; 19 by way of operational lease and two by direct/own-build. Significant progress has been achieved using the operational lease mechanism. The HSE continues to work with the private sector to deliver primary care centres by means of operational lease. In addition, a further 13 are to be delivered by direct/own-build. These are St. Mary's Orthopaedic Hospital campus, Cork city; Finglas; Grangegorman; Monaghan town; Ballinamore; Sligo town; Manorhamilton; Erris; Ballyshannon; Edgesworthtown; Tullow/Rathvilly/Hacketstown; Loughrea and Dungloe.

In relation to the potential Primary Care Centres to be delivered under the Public Private Partnership (PPP) Project, the National Development Finance Agency (NDFA) published a Prior Information Notice (PIN) on Friday 15th November 2013 in the Official Journal of the European Union ("OJEU") through the eTenders Public Procurement portal which can be viewed on the [www.etenders.gov.ie](http://www.etenders.gov.ie) website. Of the 35 primary care centre locations announced under the Infrastructure Stimulus Package in July 2012, 15 locations have been identified as being suitable for the PPP model. These are Ballymote; Boyle; Westport; Claremorris; Tuam; Limerick City; Dungarvan; Carrick-on-Suir; Wexford Town; Waterford City; Kilcock; Knocklyon/Rathfarnham; Crumlin/Drimnagh; Coolock/Darndale; and Summerhill, north inner city Dublin. In addition, the HSE has progressed Ballinrobe, which was not one of the original 35, as a suitable substitute.

By year end 2013 the HSE had lodged 14 planning applications, details of which will be available on the relevant planning websites. The submission of Limerick City and Ballinrobe planning applications are to follow as soon as possible. It is expected that 10-14 sites (indicative number 12 based on affordability) from the above list will be delivered as part of a single PPP contract with the remaining centres to be delivered by the HSE using other procurement means. As with all other capital projects the further expansion of the primary care infrastructure programme (including locations that have not moved to planning stage) must be considered within the overall capital envelope available to the health service.

Your question has been referred to the HSE for direct reply in relation to following:

- The schedule of suitable primary care infrastructure delivered before March 2011; and
- Locations at planning stage (other than the locations set out above).

Count	HSE Region	County/Area	PCT Name/ Location	Delivery Method	Open
1	DML	Dublin	Inchicore	Direct Build	2011 Q4
2	DML	Dublin	Ballyfermot	Direct Build	2012 Q3
3	DML	Dublin	Rathfarnham	Lease	2012 Q4
4	DML	Dublin	Churchtown	Operational Lease	2012 Q4

<b>Count</b>	<b>HSE Region</b>	<b>County/Area</b>	<b>PCT Name/ Location</b>	<b>Delivery Method</b>	<b>Open</b>
5	DML	Dublin	Dublin City at James's St/Pimlico/Liberties	Operational Lease	2012 Q4
6	DML	Kildare	Newbridge	Operational Lease	2013 Q2
7	DML	Laois	Portarlinton	Operational Lease	2011 Q3
8	DML	Longford	Longford Town	Operational Lease	2013 Q2
9	DNE	Dublin	Blanchardstown	Operational Lease	2013 Q4
10	DNE	Meath	Dunshaughlin	Direct Build	2012
11	DNE	Meath	Ashbourne	Operational Lease	2013 Q1
12	DNE	Louth	Carlingford	Direct Build	2012
13	DNE	Louth	Ardee	Direct Build	2012
14	DNE	Cavan	Cootehill	Direct Build	2012
15	DNE	Cavan	Bailieborough	Direct Build	2012 Q4
16	DNE	Cavan	Cavan Town	Operational Lease	2012 Q1
17	DNE	Cavan	Kingscourt	Operational Lease	2012 Q3
18	DNE	Cavan	Cavan Town 2 (Connolly Court)	Operational Lease	2013 Q2
19	South	Wexford	Gorey	Operational Lease	2012 Q3
20	South	Kilkenny	Kilkenny (at Grange's Road)	Operational Lease	2011 Q3
21	South	Kilkenny	Callan	Operational Lease	2011 Q3
22	South	Waterford	Tramore	Operational Lease	2011 Q4
23	South	Cork/South Lee	Cork City at Mahon	Operational Lease	2011 Q4
24	South	Cork/North Lee	Macroom	Operational Lease	2012 Q1
25	South	Cork	Schull	Operational Lease	2013 Q4
26	South	Kerry	Kenmare	Operational Lease	2012 Q3
27	South	Kerry	West Kerry (Dingle)	Direct Build	2013
28	West	Limerick	Limerick City at Abbey St. Mary's	Operational Lease	2012 Q1

Count	HSE Region	County/Area	PCT Name/ Location	Delivery Method	Open
29	West	Galway	Galway City East	Operational Lease	2011 Q2
30	West	Galway	Athenry	Operational Lease	2013 Q3
31	West	Mayo	Ballina	Operational Lease	2011 Q2
32	West	Roscommon	Castlerea	Operational Lease	2012 Q3
33	West	Roscommon	Monksland South Roscom- mon	Operational Lease	2012 Q4
34	West	Donegal	Glenties	Direct Build	2012 Q3

### General Medical Services Scheme Payments

186. **Deputy Billy Kelleher** asked the Minister for Health the reason general practitioners receive €700 per annum for each medical card patient on their list aged over 70 with no visit required; and if he will make a statement on the matter. [4427/14]

**Minister of State at the Department of Health (Deputy Alex White):** Under the General Medical Services contract, GPs receive a range of fees and allowances in respect of each medical card and GP visit card patient on their GMS list. The current annual capitation payments in respect of persons 70 years or more are as follows:

- €434.15 - Patient aged 70 years or more residing in a private nursing home (approved by the HSE) for continuous periods in excess of 5 weeks.

- €271.62 - Patient aged 70 years or more residing in the community.

Annual capitation payments are made to GPs regardless of how many times a patient visits their doctor during the year. However, it is widely acknowledged that the annual visitation rates in respect of GMS patients in the over 70 age cohort would on average exceed those of patients under 70 years of age and those who are not medical card or GP visit card holders.

### General Medical Services Scheme Administration

187. **Deputy Billy Kelleher** asked the Minister for Health the reason hospitals cannot write prescriptions for medical card patients on discharge; the reason ill patients are required to attend their general practitioner for prescriptions after leaving hospital; the annual cost to the State of this regulation; if it is his intention to remove this requirement; and if he will make a statement on the matter. [4428/14]

**Minister of State at the Department of Health (Deputy Alex White):** The Medical Council's Guide to Professional Conduct and Ethics states that "it is in the best interests of the patient that a general practitioner supervises and guides the overall management of their health". Medical card holders who are given a prescription by a hospital or clinic must request their GP to transcribe the details onto a GMS prescription form in order for them to receive their medication free of charge, subject to any applicable prescription charges.

There is an arrangement under the GMS Scheme for the emergency supply of medicines for medical card holders on discharge from hospital. Community pharmacists are authorised to dispense a maximum of seven days supply of medicines prescribed for persons who have been in-patients in a hospital or who have attended an Emergency Department and because of the circumstances of their discharge and/or the urgency of the prescribed medication it would not be possible to attend their GP to have the hospital prescription transcribed to a GMS prescription form. This arrangement relieves any difficulties that patients might encounter due to being discharged from hospital late in the evening or at weekends.

I wish to assure the Deputy that it is best clinical practice that a person in need of treatment should regularly attend their GP and that the GP is fully aware of the medication that is prescribed to any patient. This is entirely consistent with the gatekeeper role played by the GP in the delivery of primary care. As GPs receive an annual capitation fee per GMS patient there are no extra costs incurred by such patients.

### **Public Health Policy**

188. **Deputy Billy Kelleher** asked the Minister for Health his plans to make Anapens publicly available, like defibrillators; and if he will make a statement on the matter. [4429/14]

189. **Deputy Billy Kelleher** asked the Minister for Health the action his Department and the Health Service Executive have taken to raise awareness of anaphylaxis; if he will provide support to persons at risk and their families; his plans to step up these support measures; if any legislation is planned; if any other agencies under the aegis of his Department are pursuing measures in this regard; and if he will make a statement on the matter. [4430/14]

**Minister of State at the Department of Health (Deputy Alex White):** I propose to take Questions Nos. 188 and 189 together.

Anaphylaxis may arise from a wide variety of causes, including insect stings, food allergies and reaction to certain medications. It affects individuals in many different ways. General practitioners are in the best position to offer advice to sufferers and, where necessary, to refer them to hospital consultants. While it is not possible to be prescriptive with regard to the precautions that should be taken in individual cases, generally speaking, persons at known risk of anaphylaxis would be well advised to carry an adrenaline pen and, in the case of children, carers and teachers should be made aware of the child's condition and have access to, and be shown how to use an adrenaline pen in an emergency.

Adrenaline pens, as injectable medicines, may only be supplied on foot of a prescription. However, there is provision in the Medicinal Products (Prescription and Control of Supply) Regulations which permits pharmacists, in emergency circumstances, to supply certain prescription-only medicines, including adrenaline pens, without a prescription. My Department is currently examining the possibility of amending the Regulations to facilitate the wider availability of adrenaline pens without prescription in emergency situations.

### **Sexual Offences Data**

190. **Deputy Billy Kelleher** asked the Minister for Health his Department's legal challenges in respect of the Drogheda review against the Information Commissioner's findings and the Office of the Ombudsman's court order for provision of documents, listed for hearing on 30 January 2014 in the High Court in Dublin; and if he will make a statement on the matter.

[4436/14]

191. **Deputy Billy Kelleher** asked the Minister for Health the reasons he is taking actions with regard to the Drogheda review against the Information Commissioner's findings and the Office of the Ombudsman's court order for provision of documents; what will be the impact of these actions and who will benefit from them; and if he will make a statement on the matter. [4437/14]

192. **Deputy Billy Kelleher** asked the Minister for Health what he and his Department hope to achieve by the actions he is taking in respect of the Drogheda review against the Information Commissioner's findings and the Office of the Ombudsman's court order for provision of documents; and if he will make a statement on the matter. [4438/14]

193. **Deputy Billy Kelleher** asked the Minister for Health the costs to date and the projected full costs, legal and administrative, for all parties involved in the legal actions being taken by his Department in respect of the Drogheda review against the Information Commissioner's findings and the Office of the Ombudsman's court order for provision of documents, being mindful of the fact that the third parties involved are State agencies and are also funded by the taxpayer; and if he will make a statement on the matter. [4439/14]

194. **Deputy Billy Kelleher** asked the Minister for Health the financial support that has been provided by him and his Department to Dignity4Patients since he took office; and if he will make a statement on the matter. [4440/14]

195. **Deputy Billy Kelleher** asked the Minister for Health how funding allocated to Dignity4Patients since he took office compares with the expenditure on legal and administrative costs in respect of the legal challenges regarding the Drogheda review against the Information Commissioner's findings and the Office of the Ombudsman's court order for provision of documents; and if he will make a statement on the matter. [4441/14]

196. **Deputy Billy Kelleher** asked the Minister for Health the person in his Department, or elsewhere, who decided to initiate legal challenges with regard to the Drogheda review against the Information Commissioner's findings and the Office of the Ombudsman's court order for provision of documents; and if he will make a statement on the matter. [4442/14]

197. **Deputy Billy Kelleher** asked the Minister for Health in view of the fact that the legal challenges in respect of the Drogheda review against the Information Commissioner's findings and the Office of the Ombudsman's court order for provision of documents are a result of applications for transcripts of attendance at the review by both attendees and the Office of the Ombudsman; the Office of the Ombudsman sought these transcripts in order to examine complaints regarding the Drogheda review, the reason he and his Department officials have not complied with these transcript requests by the Office of the Ombudsman and particular individuals; if his attitude and actions and those of his officials in this matter reflect their recent media claims of a more transparent and accountable health service; and if he will make a statement on the matter. [4443/14]

198. **Deputy Billy Kelleher** asked the Minister for Health the reason he and his departmental officials were insistent on taking actions during the past two years which are causing compounded trauma and distress to Dignity4Patients clients who attended the Drogheda review in 2010; these individuals are all former patients who allege serious incidents of sexual violence when ill or injured and were all patients of the Irish health service at the time of the alleged assaults; the steps that have been taken by him and his officials to ensure their well-being and recovery; and if he will make a statement on the matter. [4444/14]

199. **Deputy Billy Kelleher** asked the Minister for Health in order to put an immediate end to this continued retraumatisation and exploitation of sexually abused patients, if he confirms that he will immediately move to use the information acquired during the Drogheda review as a basis for establishing a full and proper inquiry into the alleged sexual violation of sick and injured patients in the relevant hospital and associated consulting rooms and redeem the dignity of those who, in good faith, attended the Drogheda review; and if he will make a statement on the matter. [4445/14]

200. **Deputy Billy Kelleher** asked the Minister for Health whether it is felt that those who attended the Drogheda review have been treated appallingly by him and his Department - they attended a review which many found traumatic and exploitative, their support service through Dignity4Patients was stopped abruptly for six months following the review, a time when these persons were acutely in need of support; it was then stopped entirely by him and only following loss of lives was a degrading level of funding provided solely for office rental and overheads, with no funding for staff employment and service provision; this lack of meaningful funding has had a significant detrimental effect on the well-being of these survivors of sexual violence and on those who work to assist them in their recovery; if he will commit to providing a respectful and appropriate level of funding to Dignity4Patients to support it in providing its very effective, worthwhile and essential services to survivors of sexual violence in the Irish health service; and if he will make a statement on the matter. [4446/14]

**Minister for Health (Deputy James Reilly):** I propose to take Questions Nos. 190 to 200, inclusive, together.

On-going funding for any service is a matter for the HSE and I understand that the HSE provided the funding amounts set out in the following table to *Dignity 4 Patients* over the past three years to support the very valuable work that they offer to those who have suffered sexual assault or inappropriate sexual behaviour in a medical setting:

Year	Funding
2010	€171,890 Lottery Grant
2011	€4,000 Lottery Grant and €69,000 Lottery Grant
2012	€22,500 funding in two instalments
2013	€22,500 funding in two instalments
2014	€11,250 has been approved for payment and is currently being processed.

The HSE has also indicated to *Dignity 4 Patients* that it is not in a position to provide funding towards staffing costs and accordingly, the funding provided may not be used to establish a counselling service for alleged victims. *Dignity 4 Patients* clients may avail of the HSE's National Counselling Service and the HSE has put in place arrangements which will permit clients referred by *Dignity 4 Patients* to be fast-tracked into counselling as is the case for victims of institutional abuse. *Dignity 4 Patients* clients of course have the right to access all appropriate health and social care services in the same way as any other citizen. The HSE has also suggested to *Dignity 4 Patients* that they consider establishing synergies with other similar agencies, in order that their client group can continue to be supported.

Regarding the Deputy's question relating to setting up an Inquiry, I have no plans to set up a further Inquiry on foot of the Drogheda Review. In October 2009, the then Minister for Health and Children announced the establishment of an independent non statutory review, the "Drogheda Review". The purpose of this review was to advise her on whether a further inves-

tigation into the procedures and practices operating at Our Lady of Lourdes Hospital Drogheda during the period 1964 to 1995 to protect patients from sexual abuse while undergoing treatment or care at the hospital and to deal with allegations of sexual abuse against a certain doctor, would be likely to provide additional information or insights which would be of significant public benefit in helping to improve best practice guidelines and policies. This review was carried out by retired High Court Judge T.C. Smyth. Judge Smyth submitted his report to the Minister in September 2010. The report recommended that a further investigation should not be held and that, in order to avoid prejudicing any civil or criminal cases, the report should not be published. I am aware that such proceedings are underway. A short summary of the report was, however, prepared and supplied to the patient support groups in January 2011.

The High Court proceedings with the Information Commissioner and also the Circuit Court proceedings, initiated by the Office of the Ombudsman, are on-going and accordingly I am not in a position to make any further comment as these matters are *sub judice*. The legal costs of the Department associated with these proceedings are borne by the Chief State Solicitor's Office vote. It is not possible to provide a reliable estimate of legal costs to date, or projected full costs for all parties.

### Medical Card Appeals

201. **Deputy Michael Healy-Rae** asked the Minister for Health the position regarding a medical card appeal in respect of a person (details supplied); and if he will make a statement on the matter. [4448/14]

**Minister of State at the Department of Health (Deputy Alex White):** The Health Service Executive has been asked to examine this matter and to reply to the Deputy as soon as possible. The Health Service Executive operates the General Medical Services scheme, which includes medical cards and GP visit cards, under the Health Act 1970, as amended. It has established a dedicated contact service for members of the Oireachtas specifically for queries relating to medical cards and GP visit cards, which the Deputy may wish to use for an earlier response. Contact information has issued to Oireachtas members.

### Home Care Packages

202. **Deputy Arthur Spring** asked the Minister for Health the position regarding an application for home help in respect of a person (details supplied) in County Kerry. [4452/14]

**Minister of State at the Department of Health (Deputy Kathleen Lynch):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### Medicinal Products Availability

203. **Deputy Sean Fleming** asked the Minister for Health when a particular drug will be provided in respect of a person (details supplied) in County Laois; and if he will make a statement on the matter. [4496/14]

**Minister of State at the Department of Health (Deputy Alex White):** The HSE has statutory responsibility for decisions on pricing and reimbursement of medicinal products under the community drug schemes in accordance with the provisions of the Health (Pricing and Supply of Medical Goods) Act 2013.

The HSE received an application for the inclusion of Eculizumab (Brand: Soliris) in the community drugs schemes. The application was considered in line with the procedures and timescales agreed in 2012 by my Department and the HSE with the Irish Pharmaceutical Healthcare Association (IPHA). In accordance with these procedures, the National Centre for Pharmacoeconomics (NCPE) conducted a pharmacoeconomic evaluation of Eculizumab and concluded that, at a total cost per patient per year of €437,247 and a cumulative gross budget impact over 5 years estimated at €33 million, the therapy did not represent value for money for the treatment of patients in the Irish healthcare setting. In addition, the manufacturer did not include an economic model as part of their submission and failed to demonstrate the cost-effectiveness of this therapy. Consequently, the NCPE was unable to recommend reimbursement of the product under the community drug schemes. The report is available on the NCPE's website ([www.ncpe.ie](http://www.ncpe.ie)). The NCPE report is an important input to assist the HSE in its decision making process and informs further discussions between the HSE and the manufacturer of the drug. The HSE assessment process is intended to arrive at a decision on the funding of high cost new medicines that is clinically appropriate, fair, consistent and sustainable. The HSE is now carefully considering all the issues which arise in relation to the proposed benefits and costs of this medicine and expects to reach a decision in the near future.

### **Long-Term Illness Scheme Coverage**

204. **Deputy Noel Coonan** asked the Minister for Health his plans to include Addison's Disease on the list of eligible conditions covered by the long term illness scheme; the medical conditions that qualify a person for the scheme; and if he will make a statement on the matter. [4526/14]

**Minister of State at the Department of Health (Deputy Alex White):** There are no plans to extend the list of conditions covered by the Long Term Illness scheme.

Under the Drug Payment Scheme, no individual or family pays more than €144 per calendar month towards the cost of approved prescribed medicines. The scheme significantly reduces the cost burden for families and individuals incurring ongoing expenditure on medicines.

In addition, people who cannot, without undue hardship, arrange for the provision of medical services for themselves and their dependants may be entitled to a medical card. In the assessment process, the Health Service Executive can take into account medical costs incurred by an individual or a family. Those who are not eligible for a medical card may still be able to avail of a GP visit card, which covers the cost of GP consultations.

### **Health Services Provision**

205. **Deputy Finian McGrath** asked the Minister for Health the position regarding a rat problem (details supplied) in Dublin 9. [4549/14]

**Minister for Health (Deputy James Reilly):** The Deputy's question relates to the management and delivery of health and personal services which are the responsibility of the Health Service Executive under the Health Act, 2004. Accordingly, my Department has requested the HSE to have the matter investigated and to reply directly to the Deputy.

### **HSE Staff Remuneration**

206. **Deputy Seán Ó Feargháil** asked the Minister for Health the administrative arrangements in place for the payment of salaries in the Health Service Executive; if some of these functions are outsourced to providers based outside the State; his views on the way this may impact the quality of the administration of the salary function; and if he will make a statement on the matter. [4556/14]

**Minister for Health (Deputy James Reilly):** As this is a service matter it has been referred to the Health Service Executive for direct reply.

### **Building Regulations Compliance**

207. **Deputy Kevin Humphreys** asked the Minister for Transport, Tourism and Sport in respect of capital building projects under the remit of his Department and the building programmes planned for 2014, if he will outline the impact the new building control regulations 2013, that come into effect on 1 March, will have on the costs of each specific project; if he will list the projects under way; the extra costs that will be incurred on each project due to increased professional fees and increased supervision; and if he will make a statement on the matter. [4373/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** Any major building projects carried out in office premises used by the Department of Transport Tourism and Sport are planned, and managed (during construction) by the Office of Public Works.

Only one such project is at the initial planning phase at present. As the project is at a very early stage I am advised that it is not possible to quantify the impact of the new Building Control Regulations on the cost of the project.

### **Road Tolls**

208. **Deputy Terence Flanagan** asked the Minister for Transport, Tourism and Sport the position regarding the number of tolls on roads; and if he will make a statement on the matter. [4392/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As the Deputy will be aware, as Minister for Transport, Tourism and Sport, I have overall responsibility for policy and funding in relation to the national roads programme. The implementation of individual national road schemes which provide for tolling, is a matter for the National Roads Authority (NRA) under the Roads Acts 1993-2007. Moreover, the statutory power to levy tolls on national roads, to make toll bye-laws and to enter into toll agreements with private investors in respect of national roads is very specifically vested in the NRA under Part V of the Roads Act, 1993 (as amended).

The maximum tolls for each toll year are set in accordance with the toll bye-laws made by the NRA under Section 61 of the Roads Act. Aside from the annual adjustments made in accordance with the bye-laws, there are currently no proposals to vary tolls on national roads. While toll rates are adjusted annually in line with consumer prices, the base rates are built into the PPP financing arrangements that enabled the high quality motorway network to be built. Any change to the financial arrangements would clearly have significant implications and would have to be carefully evaluated.

### **Public Transport Provision**

209. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport the number of Dublin Bus Nitelink passengers in the years 2008 to 2013, respectively; the amount of money that was made from the Nitelink service in these years; and the number of Nitelink services that ran in each of the years. [4398/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issue raised is a matter for Dublin Bus and I have forwarded the Deputy's question to the company for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Smarter Transport**

210. **Deputy Derek Nolan** asked the Minister for Transport, Tourism and Sport the progress of Galway County Council's application for funding under the active travel towns funding scheme 2014 to 2016 for a town in County Galway (details supplied); when a decision will issue; and if he will make a statement on the matter. [4407/14]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** Galway County Council submitted three separate proposals under the Active Travel Towns Funding Programme 2014-2016 one of which was for the town of Athenry, the other two being for Gort and Loughrea. A total of 37 applications from local authorities were received under this second tranche of funding to implement the Active Travel Towns Initiative. All proposals have been considered by an assessment panel as part of a competitive process set against agreed criteria. A decision and announcement of the successful projects under this funding programme is expected in the coming weeks.

### **Railway Stations Provision**

211. **Deputy Timmy Dooley** asked the Minister for Transport, Tourism and Sport the intended start date for construction at a rail stop at Crusheen on the Ennis to Galway line; and if he will make a statement on the matter. [4450/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The Government's capital investment programme to 2016 prioritised the funding available for transport to protect investments made to date and to maintain safety standards. The limited funding available over and above this priority was to be allocated to projects which are affordable, meet overall transport objectives and deliver the best return in terms of economic recovery and job creation.

On the heavy rail side the bulk of the funding is required for rail safety and renewal. However the Plan did include funding for new rail stations at Kishogue, Hansfield, Oranmore and Crusheen. To date Hansfield and Oranmore stations have been opened while planning issues and other delays have hampered progress at both Kishogue and Crusheen. Capital funding for Irish rail was also reduced in 2012 to support the emergency funding required by the CIE Group at that time. This led to a re-prioritisation of the heavy rail capital projects and to a longer delivery time line for some projects including the new rail stations. Notwithstanding the difficulties it is my intention that a rail stop at Crusheen will be provided within the life time of the current capital programme.

### **Road Improvement Schemes**

212. **Deputy Michael McGrath** asked the Minister for Transport, Tourism and Sport in the

context of the €23.1 million of funding announced for specific and strategic regional and local roads projects, if he will consider providing funding to enable the Carrigaline western relief road in County Cork to proceed to construction stage. [4463/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The improvement and maintenance of regional and local roads, in its area, is a statutory function of each road authority in accordance with the provisions of section 13 of the Roads Act, 1993. Works on such roads are a matter for the relevant local authority to be funded from its own resources supplemented by State road grants.

I announced the 2014 regional and local road grant allocations last week and Cork County Council has been allocated €91,000 towards the Carrigaline Western Relief Road in 2014.

### **Road Projects**

213. **Deputy Paudie Coffey** asked the Minister for Transport, Tourism and Sport the progress that has been made on the provision of a service station on the M9 motorway between Dublin and Waterford in the interest of traffic and road safety; and if he will make a statement on the matter. [4473/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** As Minister for Transport, I have responsibility for overall policy and funding in relation to the national roads programme. The construction, improvement and maintenance of individual national roads, including service areas, is a matter for the National Roads Authority under the Roads Acts 1993 to 2007 in conjunction with the local authorities concerned. Section 54 of the Roads Act 1993 specifically provides for the National Roads Authority or a local authority to provide and/or operate service areas.

I have, therefore, referred the Deputy's question to the National Roads Authority for direct reply. I would ask the Deputy to contact my office if a reply has not been received within ten working days.

### **Private Bus Operators**

214. **Deputy Dessie Ellis** asked the Minister for Transport, Tourism and Sport the reason for the tendering of 100% of contracts for bus routes in the Waterford city area when other areas are only tendering 10%; if he will provide a breakdown of these routes; and the way they will be decided upon. [4530/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** The issue raised is a matter for the National Transport Authority (NTA) and I have forwarded the Deputy's question to the NTA for direct reply. Please advise my private office if you do not receive a reply within ten working days.

### **Road Safety Authority**

215. **Deputy Michael McCarthy** asked the Minister for Transport, Tourism and Sport when the Road Safety Authority's office will open on Newry Road in Dundalk, County Louth; and if he will make a statement on the matter. [4533/14]

**Minister for Transport, Tourism and Sport (Deputy Leo Varadkar):** I assume the office to which the Deputy refers is the proposed Driver Testing Centre for Dundalk. As this is a statutory responsibility of the Road Safety Authority, I have referred the question to the Authority for direct reply. I would ask the Deputy to contact my office if a response has not been received within ten days.

### **Taxi Regulations**

216. **Deputy Finian McGrath** asked the Minister for Transport, Tourism and Sport if he will support a matter (details supplied) regarding taxi funding; and if he will make a statement on the matter. [4548/14]

**Minister of State at the Department of Transport, Tourism and Sport (Deputy Alan Kelly):** The regulation of the taxi industry is a matter for the National Transport Authority (NTA) under the Public Transport Regulation Act, 2009. The NTA is the lead agency with responsibility for implementation of the recommendations of the Taxi Regulation Review Report 2011.

The Taxi Regulation Review Report, 2011 made a number of recommendations aimed at addressing the lack of availability of wheelchair accessible vehicles (WAVs) to meet the transport requirements of people with a disability and reduced mobility. In particular, Action 20 of the Report recommended a review of existing specifications for WAVs to establish whether an adjustment to the current WAV standards would assist in increasing the supply and availability of WAVs.

The NTA has prepared draft taxi regulations that will consolidate and replace the existing regulations, in addition to some new regulations. The draft regulations include provisions relating to vehicle standards for WAVs aimed at introducing a wider range of lower cost vehicles with a view to increasing the supply and availability of WAVs. The NTA is currently conducting a public consultation on the draft regulations that will conclude on 31st January 2014.

The Mobility Allowance and Motorised Grant Scheme are the responsibility of the Minister for Health and the Disabled Drivers and Passengers Tax Concessions Scheme is operated by the Revenue Commissioners.