

## Submission to Minister of State for Forestry Pippa Hackett, TD

### COFORD recommendations in relation to the DAFM felling licensing system

These recommendations have been drafted by the COFORD Roundwood Forecasting and Wood Mobilisation Working Group, and are submitted by the Council for consideration by the Minister for Forestry at the Department of Agriculture, Food and the Marine.

<i>Recommendation cluster</i>	<i>Recommendation</i>
<b>1. Project Plan for Processing of Forestry Licences</b>	i. DAFM needs to be adequately resourced to meet the milestones envisaged in the <i>Project Plan for Processing of Forestry Licences</i> . In determining the resources required, it is recommended that revised forecast projections be undertaken on the milestones envisaged in the Project Plan for Processing of Forestry Licences and that the likely increase in the numbers of licence applications as forecasted in the COFORD Roundwood Production Forecast are built into this Project Plan as well as the increase in afforestation and roading licence applications to achieve current targets.
	ii. Sectoral representation to be included on the Project Governance and Management Structure board in order to provide an effective forum for meaningful industry input to the project plan and process.
	iii. Process and throughput statistics are required to ensure the KPIs outlined in the project plan are met. The COFORD Roundwood Forecasting and Wood Mobilisation Working Group has prepared a list of such statistics which can be provided upon request.
	iv. The development of a transparent licence processing system, with specified timelines, is urgently required to give clarity to applicants where their application is in the system and when a decision on it is due to be made. The <i>'objective of the Minister to ensure that every application under <u>section 17</u> for a licence (a "felling licence application") is determined within a period of 4 months beginning on the date of receipt by the Minister of the application<sup>1</sup></i> should be reaffirmed as the target timeline. ( <sup>1</sup> Forestry Act 2014 Section 18(1).). A process

	<p>to ensure that no applicant has to wait longer than a specific time period needs to be established.</p>
	<p>v. The proposed method of prioritisation of licence applications for processing within Tranches needs to be revised and based on the chronological order in which the licence application has been received by DAFM. The development of a Customer Service Charter as recommended in the Mackinnon Report (November 2019) should be prioritised.</p>
<p><b>2. Appropriate Assessment Screening Process, associated rules and thresholds</b></p>	<p>i. With the support of outside expertise, review the current AA Screening Process, associated rules and thresholds. The review should seek to identify an efficient approach to screening that takes into account available scientific evidence, and identifies and progresses any relevant new scientific evidence, particularly pertaining to hydrological connectivity and bird nesting habitats. In particular, the 15 km radius ‘likely zone of impact’ employed by DAFM for Appropriate Assessment screening for forestry licences should be re-assessed and the radius employed for such AA screening tailored to the size and nature of individual forestry applications.</p> <p>ii. Introduce financial support for applicants who are requested or advised to complete a NIS.</p> <p>iii. The interpretation of some recent rulings (ECJ) should be reviewed by DAFM regarding Article 6(3) of the Habitats Directive and the ruling on ‘best practice measures’ as against standard mandatory legally required measures included in Felling Licence conditions.</p>
<p><b>3. Forestry Appeals Committee</b></p>	<p>i. The FAC needs to clear the present backlog in the next six months and process any new appeals within two months. To do this, the rate of processing appeals must increase to circa 100 per month.</p> <p>ii. Statutory changes are required to the Agriculture Appeals Act 2001 to establish a fee structure which is comparable with the planning process in Ireland.</p> <p>iii. Statutory changes are required to the Agriculture Appeals Act 2001 to establish more comprehensive criteria that enable the Chairperson to assess the validity of an appeal.</p>

	iv. Statutory changes are required to the Agriculture Appeals Act 2001 to allow multiple Chairpersons to be appointed, to allow more that more than one Committee to convene at any one time.
4. Amending the statutory licensing provisions	i. Examine how new exemptions can be introduced to the Forestry Act for those activities that do not present a significant landscape change and present a low risk from an environmental perspective.

Council for Forest Research and Development - COFORD

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