



# FORESTRY APPEALS COMMITTEE

Review of the Membership and Make-up of the Forestry Appeals  
Committee

by Mr Edmund Carroll, Chairperson

24<sup>th</sup> March 2026

## **Review of the Membership and Make-Up of the Forestry Appeals Committee (FAC)**

As the appointed Chairperson of the FAC and having regard to the terms of my appointment, I am duty bound to deliver the following report to the Minister for Agriculture Food and the Marine as a full review of the membership and make-up of the FAC.

I am appointed Chairperson of the FAC having regard to Section 14A (as inserted by section 35 of the Forestry Act 2014 (No. 31 of 2014)) of the Agriculture Appeals Act 2001 (No. 29 of 2001), of the Forestry (Miscellaneous Provisions) Act 2020 (No. 15 of 2020), of S.I. No. 68 of 2018 Forestry Appeals Committee Regulations 2018 and of S.I. No 418 of 2020 Forestry Appeals Committee Regulations 2020.

As the appointed Chairperson of the FAC and having regard to the terms of my appointment, and having completed three months in the role following my appointment, I am required to deliver the following review report and relevant recommendations to the Minister on the operation of the FAC.

### **Background**

The FAC was established under the Agriculture Appeals Act, 2001 as amended, to deal with appeals from persons dissatisfied with decisions of the Minister for Agriculture, Food and the Marine in relation to Section 7 of the Forestry Act 2014, excluding grants arising under the schemes mentioned in Schedule 1 of the Agriculture Appeals Act 2001, and the Forestry Regulations 2017 ( S.I. No. 191 of 2017 ) insofar as they relate to:

- Afforestation,
- Tree felling,
- Forest road construction,
- Aerial fertilisation.

By way of brief background, the Agriculture Appeals Act 2001 introduced a statutory independent appeals provision in respect of entitlements to payments under the various Department of Agriculture, Food and the Marine (DAFM) schemes including the forestry grant and premium schemes. The Agriculture Appeals Act was amended through the Forestry Act 2014 to establish the independent FAC comprising a chairperson and other members (not being less than two) to hear and determine appeals against decisions made by the Minister or an officer of the Minister in respect of licences for afforestation, felling, aerial fertilisation, and forest roads. The FAC is separate and distinct from the functions of Appeal Officers and the Director of Agriculture Appeals under the Act and is independent in its function.

The Act was further amended by the Forestry (Miscellaneous Provisions) Act 2020 to allow, amongst other amendments, for the appointment of deputy chairpersons and for the FAC to sit in divisions of itself. To date and in addition to my own appointment, the Minister has appointed to the FAC a number of appeals officers from the Agriculture Appeals Office, they being officers of the Minister, as well as ordinary members and deputy chairpersons who are not officers of the Minister.

## Appeal Trend:

	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026 (20/03)	Total
*Appeals received	34	197	489	874	149	201	99	146	125	30*	2314
Licence decisions	21	150	311	582	107	128	80	115	111	26	1605

\*In comparison, 20 March 2025 – there were 21 appeals against 19 licences.

## Current statistics as of 20 March 2026:

**Open appeals:** 178

**Open licences:** 151

**Appeals scheduled to be heard:** 21

**Awaiting a decision from FAC:** 16

**FAC can schedule:** 53 licences

**Awaiting statements from DAFM:** 60 licences

FAC currently has 53 licences ready to schedule for hearing and are waiting on DAFM to provide Statements of Facts for a further 60 licences. That gives a current total of 113 licences outstanding. The rate of appeals has continued and so far in 2026, 30 appeals have been received against 26 licences. By way of contrast the number of appeals lodged at this point in time in 2025 was 21 appeals against 19 licences.

The FAC can hear approximately nine appeals per month. The FAC has held 21 hearings so far in 2026 and is in the process of scheduling a further 16 hearings. With the current FAC membership and complexity of the appeals received this is the maximum number of hearings that can be held.

It is to be noted that the term of appointment of four of the current panel of members expires in October/November of this year and it will be vitally important that the appointment be renewed or filled in early course to ensure no delay in the FAC being able to hear appeals.

## FAC Membership

The current membership of the FAC comprises of the following people.

Member	Status	Term Ends
Ed Carroll	Chairperson	31/10/2027
Myles McDonagh	Deputy Chairperson	27/10/2026
Donal Maguire	Deputy Chairperson	19/10/2026
Iain Douglas	Ordinary Member	31/01/2027
Derek Daly	Ordinary Member	27/10/2026
Vincent Upton*	Ordinary Member	30/11/2026
Luke Sweetman*	Ordinary Member	30/11/2026
Vacancy		

\* Appointed as Agriculture Appeals Officers and appointed as members of the FAC

The previous Chairperson Mr Seamus Neely had recommended appointing additional members and Deputy Chairpersons to support the work of the FAC. I would also support this position that additional resources are required. There is an immediate need for a replacement Deputy Chairperson following the resignation of Mr. John Evans. There is need to appoint an additional Deputy Chairperson (two in total with the current vacancy) and four new ordinary members to afford parallel working before current FAC members terms expire.

Individuals appointed to the FAC would benefit, in particular, from experience and expertise in forestry, ecology and other environmental sciences, planning and environmental and administrative law.

## Current Rates of remuneration

	Chairperson	Deputy Chairperson	Ordinary member
Oral hearing	€450	€420	€350
Paper only appeal	€400	€380	€350
Postponement -day of hearing	€300	€280	€280

### **Recommendations from the Outgoing [Chairpersons Report](#):**

- The sitting rate per appeal includes all related preparatory and post Committee meeting work and is paid per hearing. In many cases, multiple appeals against a licence will be heard in a single hearing.
- All sitting rates have been fixed since 2020 appointments and have had no adjustment for inflation or provision for review.
- As chairperson the remuneration includes a flat rate payment of €6000 per annum for the ancillary duties associated with the role.
- The annual flat rate payment for the ancillary duties associated with the role for the new Chairperson appointed should be increased substantially to reflect the increased amount and complexity of such work.
- Inflation levels have been high for long periods, and the failure to reflect this in the remuneration rates is a disincentive for the availability of members.
- In addition, the complexity of appeals has substantially increased time requirement for individual appeals.
- The time now required by FAC members to address appeals has at least doubled since 2020.
- Sitting rates for FAC members should increase by a minimum of 50% from current levels.

### **Recommendations to the Minister:**

- Six additional FAC members are recommended to be appointed, with regard being had to gender balance
- At least two of the members should be appointed as a Deputy Chairperson
- Annual payment to be increased significantly for future Chairpersons
- Similar proportional payment for the Deputy Chairpersons
- Sitting rates for FAC members increased by at least 50% (current levels have applied since 2020)
- Online appeals and fee payment system developed as a matter of urgency