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& PRI



ENFORCEMENT
SYSTEMS

Focus on Local Authority

Environmental Enforcement

2014 - 2016 Performance Report

ENVIRONMENTAL PROTECTION AGENCY

The Environmental Protection Agency (EPA) is responsible for protecting and improving the environment as a valuable asset for the people of Ireland. We are committed to protecting people and the environment from the harmful effects of radiation and pollution.

The work of the EPA can be divided into three main areas:

Regulation: *We implement effective regulation and environmental compliance systems to deliver good environmental outcomes and target those who don't comply.*

Knowledge: *We provide high quality, targeted and timely environmental data, information and assessment to inform decision making at all levels.*

Advocacy: *We work with others to advocate for a clean, productive and well protected environment and for sustainable environmental behaviour.*

Our Responsibilities

Licensing

We regulate the following activities so that they do not endanger human health or harm the environment:

- waste facilities (e.g. landfills, incinerators, waste transfer stations);
- large scale industrial activities (e.g. pharmaceutical, cement manufacturing, power plants);
- intensive agriculture (e.g. pigs, poultry);
- the contained use and controlled release of Genetically Modified Organisms (GMOs);
- sources of ionising radiation (e.g. x-ray and radiotherapy equipment, industrial sources);
- large petrol storage facilities;
- waste water discharges;
- dumping at sea activities.

National Environmental Enforcement

- Conducting an annual programme of audits and inspections of EPA licensed facilities.
- Overseeing local authorities' environmental protection responsibilities.
- Supervising the supply of drinking water by public water suppliers.
- Working with local authorities and other agencies to tackle environmental crime by coordinating a national enforcement network, targeting offenders and overseeing remediation.
- Enforcing Regulations such as Waste Electrical and Electronic Equipment (WEEE), Restriction of Hazardous Substances (RoHS) and substances that deplete the ozone layer.
- Prosecuting those who flout environmental law and damage the environment.

Water Management

- Monitoring and reporting on the quality of rivers, lakes, transitional and coastal waters of Ireland and groundwaters; measuring water levels and river flows.
- National coordination and oversight of the Water Framework Directive.
- Monitoring and reporting on Bathing Water Quality.

Monitoring, Analysing and Reporting on the Environment

- Monitoring air quality and implementing the EU Clean Air for Europe (CAFE) Directive.
- Independent reporting to inform decision making by national and local government (e.g. *periodic reporting on the State of Ireland's Environment and Indicator Reports*).

Regulating Ireland's Greenhouse Gas Emissions

- Preparing Ireland's greenhouse gas inventories and projections.
- Implementing the Emissions Trading Directive, for over 100 of the largest producers of carbon dioxide in Ireland.

Environmental Research and Development

- Funding environmental research to identify pressures, inform policy and provide solutions in the areas of climate, water and sustainability.

Strategic Environmental Assessment

- Assessing the impact of proposed plans and programmes on the Irish environment (e.g. *major development plans*).

Radiological Protection

- Monitoring radiation levels, assessing exposure of people in Ireland to ionising radiation.
- Assisting in developing national plans for emergencies arising from nuclear accidents.
- Monitoring developments abroad relating to nuclear installations and radiological safety.
- Providing, or overseeing the provision of, specialist radiation protection services.

Guidance, Accessible Information and Education

- Providing advice and guidance to industry and the public on environmental and radiological protection topics.
- Providing timely and easily accessible environmental information to encourage public participation in environmental decision-making (e.g. *My Local Environment, Radon Maps*).
- Advising Government on matters relating to radiological safety and emergency response.
- Developing a National Hazardous Waste Management Plan to prevent and manage hazardous waste.

Awareness Raising and Behavioural Change

- Generating greater environmental awareness and influencing positive behavioural change by supporting businesses, communities and householders to become more resource efficient.
- Promoting radon testing in homes and workplaces and encouraging remediation where necessary.

Management and Structure of the EPA

The EPA is managed by a full time Board, consisting of a Director General and five Directors. The work is carried out across five Offices:

- Office of Environmental Sustainability
- Office of Environmental Enforcement
- Office of Evidence and Assessment
- Office of Radiological Protection and Environmental Monitoring
- Office of Communications and Corporate Services

The EPA is assisted by an Advisory Committee of twelve members who meet regularly to discuss issues of concern and provide advice to the Board.



**FOCUS ON LOCAL AUTHORITY
ENVIRONMENTAL ENFORCEMENT
2014 — 2016 PERFORMANCE REPORT**

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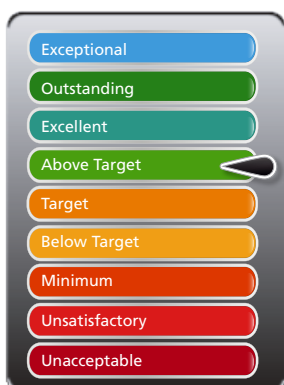
Focus on Local Authority Environmental Enforcement

2014 – 2016 Performance Report

Published by the Environmental Protection Agency, Ireland

ISBN 978-1-84095-727-3

EXECUTIVE SUMMARY



The EPA has assessed the environmental performance of local authorities using 26 environmental indicators based on three years of inspection and enforcement data from 2014 to 2016. The first baseline report of 2014 indicated that overall local authority environmental enforcement performance was on **"Target"**, as measured against the performance standards of the framework. This remained unchanged in 2015. In 2016, overall local authority environmental enforcement performance improved to **"Above Target"**. Most local authorities (71%) have improved their performance over the period covered by this report with a further 19% maintaining their performance. A small proportion of local authorities (10%) showed a reduction in their performance.

In that time, the environmental indicators have identified both strengths and shortcomings in local authority implementation of environmental legislation. The strengths observed include:

- ▲ The scale of environmental inspection and enforcement activities undertaken by local authorities (almost 140,000 environmental inspections per year and approximately 15,000 enforcement actions); and
- ▲ The handling of 60,000 environmental complaints per year, such as litter, illegal dumping, water pollution, air and noise complaints.

The environmental indicators have also identified areas that require improvement to enhance environmental enforcement and bring activity levels up to the required standard. These include:

- ▲ Enhanced controls relating to the burning of solid fuels, to lessen the 1,500 premature deaths associated with air pollution;
- ▲ Improved segregation of household food waste and policing of the brown bin collection services to increase recycling, avoid odour nuisance and reduce greenhouse gas emissions; and
- ▲ Improved management of waste tyres, to reduce the number of illegally dumped tyres around the countryside and minimise toxic fire threats.

The public are responsible for purchasing smokeless fuel; segregating domestic organic waste and recyclables using the appropriate bins; and recycling goods when being replaced by new purchases, such as waste tyres. Therefore, the public can play a key role in addressing these issues and in doing so improve our air quality and reduce waste generation.

A review of each of the 26 performance indicators will be undertaken to assess their suitability for inclusion in the 2nd cycle (2017-2020) along with their relative weightings. The inclusion of new performance indicators, such as achievements against illegal dumping and investigative assessments as part of the Water Framework Directive, will be considered to ensure that emerging environmental priorities are included within the Framework. Overall, the review will strive to link enforcement indicators to solving environmental problems and achieving environmental outcomes.

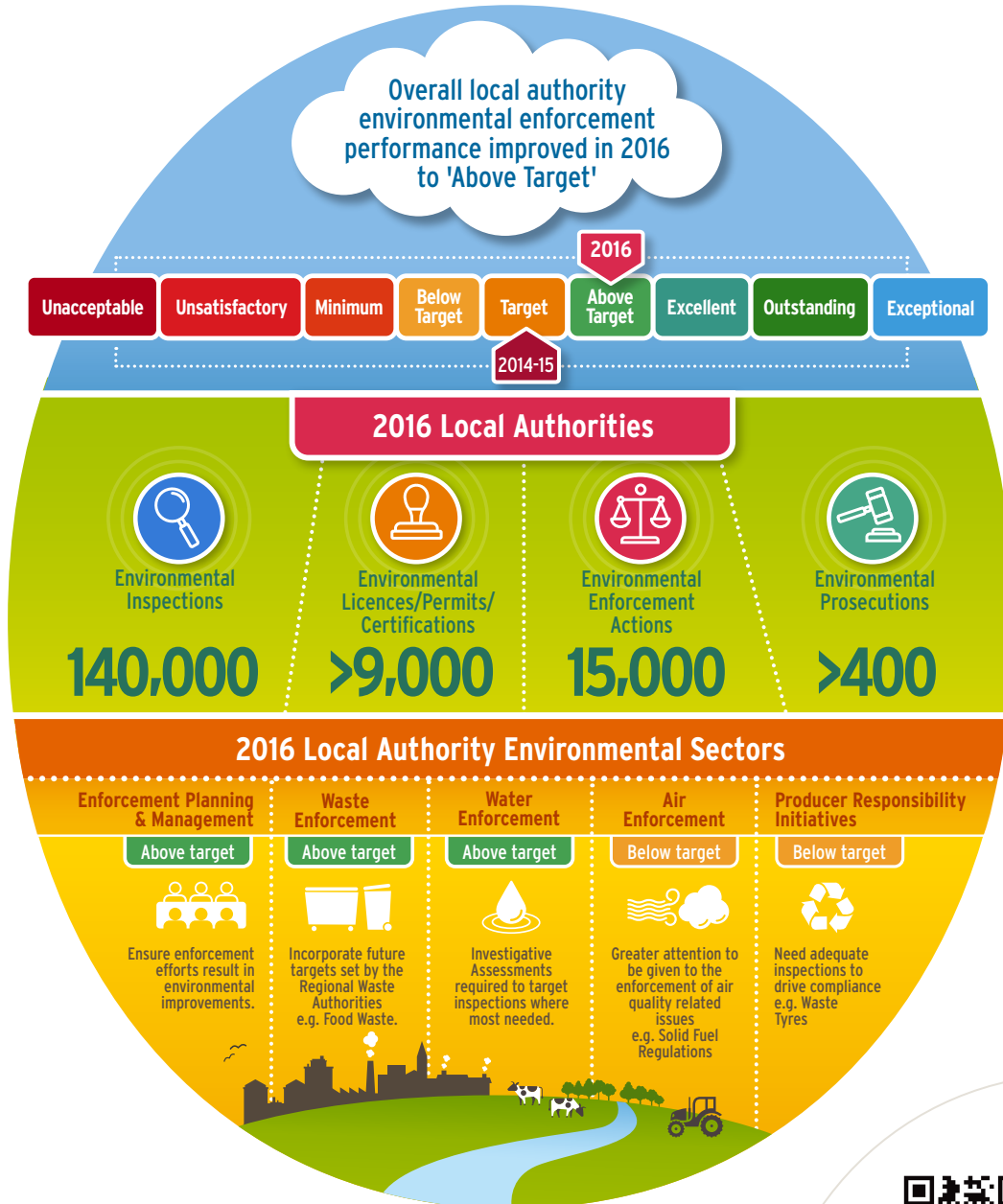
CONTENTS

KEY FINDINGS 2014 - 2016	5
1. INTRODUCTION	6
1.1 What is the purpose of this report?	6
1.2 The Role of Local Authorities in Environmental Enforcement	7
2. METHODOLOGY	8
3. OVERALL NATIONAL ENFORCEMENT PERFORMANCE EVALUATION	10
3.1 Enforcement Systems	12
3.2 Waste Enforcement	15
3.3 Water Enforcement	18
3.4 Producer Responsibility Initiatives & Food Waste	21
3.5 Air Enforcement	24
4. CONCLUSIONS AND RECOMMENDATIONS	27
APPENDIX I – CONTEXT OF ENVIRONMENTAL ACTIVITY	29
APPENDIX II – NATIONAL GRADE RESULTS SUMMARY TABLE	34
APPENDIX III – OVERVIEW OF ASSESSMENT METHODOLOGY	35
List of Tables	
Table 1: Performance Indicators and Enforcement Areas.	8
Table 2: Grading System for Environmental Inspection and Enforcement Assessment.	9
Table 3: Local Authority Enforcement Systems Grades, 2016.	14
Table 5: Local Authority Water Enforcement Area Grades, 2016.	20
Table 6: Local Authority PRI & Food Waste Grades, 2016.	23
Table 7: Local Authority Air Enforcement Area Grades, 2016.	26
Table 8: Summary of National Environmental Enforcement and Inspection Data, 2016.	29
Table 9: Activity Indicators (Outputs).	32
Table 10: Summary of Environmental Enforcement Assessment Process	36

List of Figures

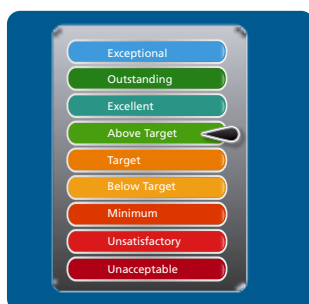
Figure 1:	Local Authority Overall National Grade, 2014 to 2016.	10
Figure 2:	Local Authority Environmental Enforcement Areas Requiring Further Improvement.	11
Figure 3:	Local Authority Enforcement Systems National Grade, 2014 to 2016.	12
Figure 4:	Enforcement Systems National Performance Indicator Grades, 2014 to 2016.	13
Figure 5:	Local Authority Waste Enforcement Area National Grades, 2014 to 2016.	15
Figure 6:	Waste National Performance Indicator Grades, 2014 to 2016.	16
Figure 7:	Local Authority Water Enforcement Area National Grade, 2014 to 2016.	18
Figure 8:	Water National Performance Indicator Grades, 2014 to 2016.	19
Figure 9:	Local Authority Producer Responsibly Initiatives & Food Waste National Grade, 2014 to 2016.	21
Figure 10:	PRI & Food Waste National Performance Indicator Grades, 2014 to 2016.	22
Figure 11:	Local Authority Air Enforcement Area National Grade, 2014 to 2016.	24
Figure 12:	Air National Performance Indicator Grades, 2014 to 2016.	25
Figure 13:	Local Authority Environmental Enforcement Staff Numbers Breakdown, 2008 to 2016.	30
Figure 14:	Number of Completed Local Authority Environmental Inspections, 2008 to 2016.	31
Figure 15:	National Grade Results Summary Table	34
Figure 16:	Environmental Enforcement Continual Improvement Process	35
Figure 17:	Performance Indicator and Enforcement Area Weightings as a Percentage of the Overall Grade	38

2014-2016 Local Authority Environmental Enforcement Performance Indicators



www.epa.ie/irelandsenvironment/

KEY FINDINGS 2014 - 2016



- ▲ The environmental enforcement performance of local authorities improved from on **'Target'** in 2014 and 2015 to **'Above Target'** for 2016.
- ▲ **71%** of local authorities improved their performance over the three years of the framework, **19%** remained unchanged and **10%** have had a reduction in their achieved grade.
- ▲ There is still significant potential to enhance the environmental enforcement performance of local authorities into the future.

Activity

- ▲ Local authorities enforced approximately **9,400** environmental licences/permits/certificates.
- ▲ Almost **140,000** environmental inspections were undertaken by local authorities in 2016.
- ▲ Local authorities dealt with over **185,000** environmental complaints between 2014 and 2016.
- ▲ On average over **15,000** environmental enforcement actions are taken each year with around **400** environmental prosecutions actions initiated each year.

Indicator Results

- ▲ **Enforcement Systems, Waste, and Water Performance Indicators** have all improved from **'Target'** to **'Above Target'**.
- ▲ **Air and Producer Responsibility Initiative (PRI) Performance Indicators** are still **'Below Target'** but have improved gradually over the three years.
- ▲ Development of **environmental outcomes** is variable across local authorities. The absence of quantifiable targets and baseline achievement data are the main reasons for not exceeding **'Target'** performance.

Priorities for Local Authorities

- ▲ **Air** - Improve controls relating to the burning of solid fuels, to lessen the 1,500 premature deaths associated with air pollution.
- ▲ **Food Waste** - Improve segregation of food waste and policing the brown bin collection services to increase recycling, avoid odour nuisance and reduce greenhouse gas emissions.
- ▲ **Waste Tyres** - Improve management of waste tyres, to reduce the number of illegally dumped tyres around the countryside and minimise toxic fire threats.

Framework Review

- ▲ The EPA will review the framework in conjunction with local authorities. This will include:
 - ▶ Reviewing suitability of existing indicators;
 - ▶ Linking indicators to **Environmental Outcomes**;
 - ▶ Adding achievements against **Illegal Dumping** and regulation of unauthorised **C&D Waste**; and
 - ▶ Developing metrics for **Investigative Assessments** under the Water Framework Directive.

1. INTRODUCTION

1.1 What is the purpose of this report?

Each year, local authorities develop Enforcement Plans, in accordance with European Council Recommendation for Minimum Criteria for Environmental Inspections (RMCEI 2001/331/EC), to allocate resources where they are most needed, based on the risk posed to the environment and what is deemed a priority locally and nationally.

These plans are submitted to the Environmental Protection Agency (EPA) by each local authority regarding their planned enforcement activities for that year. Local Authorities submit their data 12 months later to the EPA on completed activities alongside information on notable achievements and any impacts for the previous calendar year.

Using this enforcement information, and data from other sources, the EPA designed a framework with the intention of assisting local authorities to implement programmes of continual improvement in the areas of environmental enforcement and inspection. The framework was first applied using data from 2014 with that year acting as a baseline performance level. Performance levels for subsequent years are assessed against this baseline level.

The purpose of this report is firstly to report on the environmental performance of the 31 local authorities over the three year period 2014 to 2016 and recommend actions for improvements in underperforming areas. Secondly, to make recommendations to ensure that the framework adapts to new or emerging environmental challenges faced by local authorities and to ensure that, where appropriate, these are brought within the framework for assessment.

To this end, the report considers:

- ▲ Trends in local authority environmental enforcement performance over the three years between 2014 and 2016, including recommended actions for improvement in performance;
- ▲ The strengths and shortcomings of the framework over this three year period; and
- ▲ Areas of the framework that require amendment, refinement and/or additions to ensure that national and regional environmental issues are being closely monitored and assessed within the next three-year cycle.

The national picture of environmental enforcement performance amongst local authorities over the three year period is presented in Section 3. Summary information on each of the five Enforcement Areas is discussed in Sections 3.1 to Sections 3.5. In addition, Environmental Performance Assessment Reports for individual local authorities have been prepared and are available on the EPA website at <http://www.epa.ie/enforcement/pa/performanceframework/> along with published results for 2014 and 2015.

Appendix I provides further information on the context of local authority environmental activities; Appendix II presents a summary of the National Grade Results; and Appendix III provides an overview of the assessment methodology.

1.2 The Role of Local Authorities in Environmental Enforcement

Local authorities are at the forefront in the enforcement of environmental legislation nationally. Staff in local authorities enforce over **500** environmental protection obligations arising from more than **100** pieces of legislation. This includes:

- ▲ **Compliance with Water Quality Legislation** – for example, the investigation of agricultural activities, licensing of effluent discharges from factories or hotels, and the registration and inspection of septic tanks.
- ▲ **Compliance with Waste Management Legislation** – for example, the permitting of waste facilities, such as recycling depots or soil and stone infill sites, regularisation of unauthorised waste activities, including illegal dumping, as well as the litter laws.
- ▲ **Implementation of Waste Recycling & Producer Responsibility Initiative (PRI) Schemes** – For example, inspection of retailers for recycling of waste tyres, batteries, packaging and electrical/electronic equipment, and food waste.
- ▲ **Compliance with Air Quality Legislation** – for example, the enforcement of the ‘smoky coal’ ban, and certification of solvents and decorative paints facilities.

Local authorities enforced approximately **9,400** environmental licences/permits/certificates and in 2016 their staff conducted almost **140,000** inspections, handled **64,000** environmental complaints, and undertook almost **15,000** enforcement actions and over **400** prosecutions.

It should be noted that there has been a steady decline in local authority environment staff available for environmental enforcement over the past number of years. While 2016 saw a small increase in staff numbers, there are almost 150 less enforcement staff available nationally in comparison with 2008, which represents a 26% reduction.

Recently, the sharing of resources and expertise amongst local authorities has been enhanced with the establishment of the Waste Enforcement Regional Lead Authorities (WERLAs) and the Local Authority Water and Community Offices (LAWCOs). The role of the WERLAs is to coordinate waste enforcement actions within regions, to set priorities and common objectives, and to ensure consistent enforcement across the three waste management planning regions. WERLAs work alongside and with existing local authority personnel.

The role of the LAWCOs is to promote public awareness, participation and knowledge sharing. This is particularly in relation to River Basin Management Plans and the Programme of Measures that have been prepared to protect Ireland’s natural water resources. This is facilitated through active engagement of the relevant local authorities, public authorities and interest and community groups.

The EPA welcomes the establishment of these new regional structures with regard to the potential improvements that regional approaches to environmental enforcement may bring.

2. METHODOLOGY

In the development of the framework, 26 environmental enforcement indicators (so called, Performance Indicators) were selected (see Table 1). These indicators examine routine planned inspection work where targets can be set that are comparable across all local authorities. The data used for these performance indicators was already being recorded by local authorities and submitted to the EPA. In addition, these indicators were suitable for development into a grading system to assess performance.

Table 1: Performance Indicators and Enforcement Areas.

Overall Grade	Enforcement Area	Performance Indicator
National & Local Authority Level Performance Assessment	Enforcement Systems Grade	1.1 Complaints Contact Person Assigned by local authority 1.2 RMCEI Contact Person Assigned by local authority 1.3 Enforcement Plan Evaluation 1.4 Enforcement Plan Return, Submission Date 1.5 Annual Statistical Return, Submission Date 1.6 No. of Section 63 Notices issued by EPA 1.7 No. of Section 63 Directions issued by EPA
	Waste Grade	2.1 Waste Inspections, Percentage Completion 2.2 Litter Inspections, percentage completion of target Inspections per 5,000 population 2.4 National Waste Collection Permit Office (NWCPO) Audit – % target completion 2.5 EPA National Waste Returns, Submission Date
	Water Grade	3.1 Water Framework Directive (WFD) Investigative Assessments, percentage completion of target Inspections 3.2 & 3.3 Farm Inspections & Enforcement 3.4 Domestic Wastewater Treatment Systems (DWWTS) - % completion of target inspections assigned in the National Inspection Plan (NIP) 3.5 Section 4 Discharge Licences-% completion of target Inspections 3.6 Groundwater & Hydrometric Activities
	Producer Responsibility Initiatives (PRI) & Food Waste Grade	4.1 Waste Electrical and Electronic Equipment (WEEE) – % completion of target Inspections 4.2 Tyres – % completion of target Inspections 4.3 Food Waste – % completion of target Inspections 4.4 Batteries – % completion of target Inspections
	Air Grade	5.1 Deco Paints Regulations – % target completion 5.2 Solvents Regulations – % completion of target Inspections 5.3 Petroleum Vapour Regulations – % completion of target Inspections 5.4 Solid Fuels Regulations ('smoky coal') – % target completion

For each Performance Indicator, a performance grade and weightings were defined by the EPA in collaboration with a focus group consisting of relevant stakeholders including local authorities, LAWCOs and WERLAs. An overall 9 point grading system was developed, as presented in Table

2, ranging from “Unacceptable” at the bottom to “Exceptional” at the top. However, it should be noted that the 9 point scale is not applied to all of the individual 26 Performance Indicators. The highest achievable grade for many of these Performance Indicators is either “Target” or “Above Target” (see Appendix III for further details). The reason for this approach is that in some cases an indicator assesses whether a particular item is in place or not, i.e. a “yes” or “no” answer rather than a measurement. Similarly, for other indicators, e.g., completion of planned inspection numbers, grades beyond “Above Target” were not deemed appropriate.

Table 2: Grading System for Environmental Inspection and Enforcement Assessment.

GRADE	Description
Exceptional	This indicates exceptional performance achieving the highest possible assessment.
Outstanding	This indicates outstanding performance achieving performance well above the target standard.
Excellent	This indicates excellent performance, exceeding the target in all areas of performance.
Above Target	This indicates generally very good performance in all areas and exceeding the target in particular areas of strength.
Target	This indicates good performance and is considered to represent the standard that is to be reached by all local authorities.
Below Target	This indicates some room for improvement to reach ‘Target’.
Minimum	This indicates a mixed performance, with significant room for improvement.
Unsatisfactory	This indicates failings in a number of the areas examined.
Unacceptable	This indicates significant failings in a number of the areas examined.

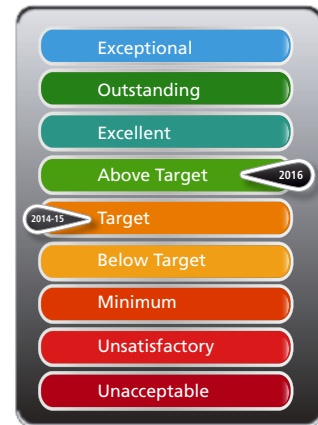
The Performance Indicators are then grouped into the five relevant Enforcement Areas: Enforcement Systems, Waste, Water, Producer Responsibility Initiatives (PRI) & Food Waste, and Air, with an overall composite grade being awarded to each Enforcement Area. As the Performance Indicators may be on a different point scale to their Enforcement Area, an appropriate “scaling up” is carried out. The grades for each Enforcement Area are then combined along with their relative weightings and an ‘Overall Grade’ is awarded to each local authority.

The results from each local authority are then combined to give an average National Grade for the Performance Indicators, Enforcement Areas and a National Overall Grade for environmental enforcement performance in Ireland.

3. OVERALL NATIONAL ENFORCEMENT PERFORMANCE EVALUATION

As previously mentioned, each local authority is measured against defined standards of performance and given a grade. These are then grouped under five Enforcement Areas (Table 1) with a composite grade for each Enforcement Area. The five Enforcement Areas are subsequently combined into one overall national grade, which is discussed in this section.

The first baseline report of 2014 indicated that overall national local authority environmental enforcement performance was on 'Target'. This remained unchanged in 2015. In 2016, overall national local authority environmental enforcement performance improved and was 'Above Target' (Figure 1).



In general, local authorities received better assessments in the water, waste, and enforcement system sectors. Assessments in the Producer Responsibility Initiatives (PRI) and air enforcement areas were generally lower, but have improved over the three years that the assessment has been conducted. Most local authorities (71%) have improved their performance over the period covered by this report with a further 19% maintaining their performance. A small proportion of local authorities (10%) showed a reduction in their performance.

Individual local authority Performance Assessment Reports are available at: <http://www.epa.ie/enforcement/pa/performanceframework/>



Figure 1: Local Authority Overall National Grade, 2014 to 2016.

By identifying shortcomings in specific areas of local authority environmental enforcement, the Performance Indicator Framework has assisted in driving improvements in these targeted areas, thus improving the overall environmental enforcement performance in Ireland. However, the framework also identifies a number of areas that require additional improvement in order to enhance environmental enforcement and bring activity levels up to the required standard (Figure 2).



Figure 2: Local Authority Environmental Enforcement Areas Requiring Further Improvement.

3.1 Enforcement Systems

What this assessment measures

The Enforcement Systems performance indicators assess the quality of local authority inspection and enforcement planning and the management of environmental complaints.

Why it is important?

The inspection and enforcement plan defines the approach of the local authority to ensuring compliance with environmental legislation. Designated enforcement contacts for planning and complaints ensure enforcement issues are dealt with quickly and adequately.



Figure 3: Local Authority Enforcement Systems National Grade, 2014 to 2016.

Results

Nationally, enforcement systems performance in 2016 is **'Above Target'** (Figure 3). This is an improvement from being on **'Target'** in both 2014 and 2015. Specific areas making up this assessment are analysed as follows:

- ▲ The quality of local authority Enforcement Plans has consistently been **'Above Target'** from 2014 to 2016. However, some work is still required to adequately address environmental outcomes by providing quantifiable metrics and targets and including comparisons with baseline achievement data. The focus of every enforcement effort should be on solving specific problems. There is also a need for local authorities to more accurately estimate the number of planned inspections at the beginning of each year to ensure that the necessary resources are made available. In 2016, 29 local authorities underestimated the number of planned inspections, with 10 local authorities completing more than double the number of originally planned inspections. Nationally, there was a 59% underestimate of planned inspections compared with the completed number of inspections in 2016. This compares to a 70% underestimate in 2015 and a 47% underestimate in 2014.
- ▲ There has been a steady improvement in the timeliness of inspection and enforcement plan and statistical submissions from **'Unsatisfactory'** in 2014 to **'Minimum'** in 2015 to **'Below Target'** in 2016.
- ▲ All local authorities have assigned contacts for complaints coordination and implementation of enforcement planning.
- ▲ The number of statutory enforcement notices and directions issued to local authorities by the EPA remains low indicating that local authorities are generally addressing issues without the need for EPA intervention.

A summary of the Enforcement Systems National Performance Indicator grades (2014 to 2016) is presented in Figure 4 below.

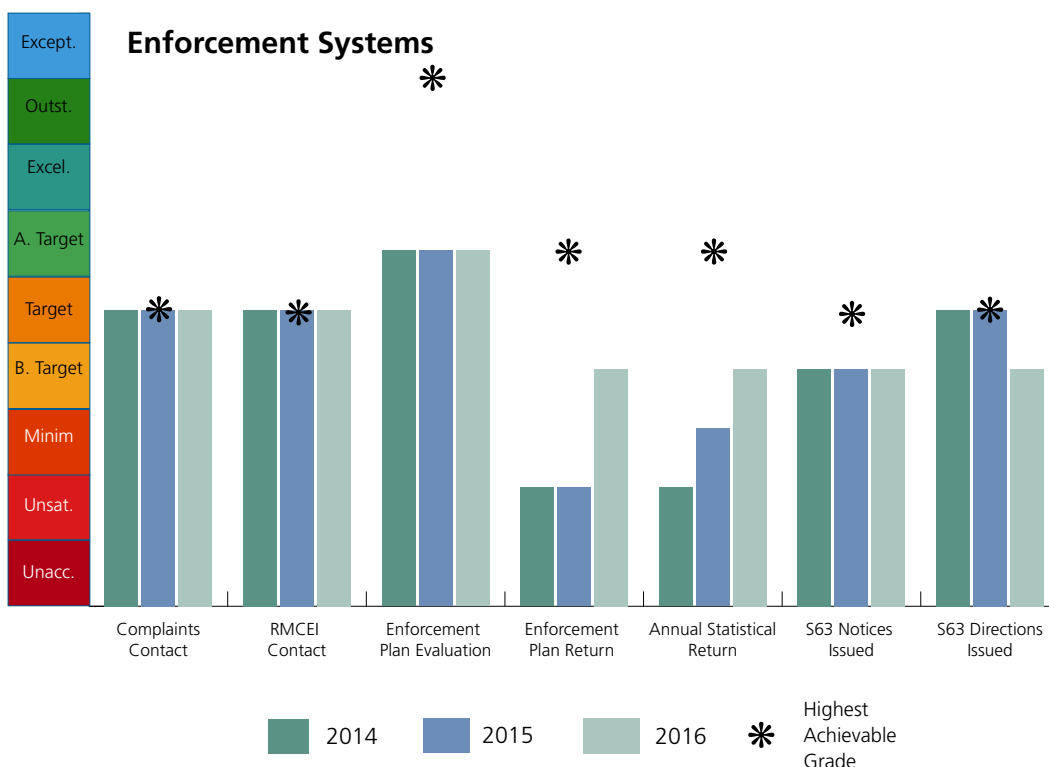


Figure 4: Enforcement Systems National Performance Indicator Grades, 2014 to 2016.

Actions Required

The **'Above Target'** performance of local authorities in this area in 2016 indicates a well-established environmental inspection and enforcement planning¹ process in Ireland. The Performance Indicator framework appears to be working well in assessing this area. However, there is the continuing need for local authorities to match inspection and enforcement activities with what is planned for in their Enforcement Plans and to more accurately estimate the number of planned inspections for each year. For example, more than 10 local authorities completed at least double the number of planned inspections in 2016. Similarly, while the reporting of environmental outcomes has improved since being introduced, there is a continued need for further improvement. This is to ensure that environmental improvements are being achieved from the enforcement efforts of local authorities.

The local authority Enforcement Systems grades for 2016 are summarised in Table 3 below.

¹ In accordance with European Council Recommendation for Minimum Criteria for Environmental Inspections (RMCEI 2001/331/EC)

Table 3: Local Authority Enforcement Systems Grades, 2016.

‘Excellent’ and above assessments:	‘Above target’ & ‘Target’ assessments:	‘Below target’, ‘Minimum’ and ‘Unsatisfactory’ assessments:
Clare County Council Cork City Council Galway County Council Kerry County Council Kilkenny County Council Leitrim County Council Limerick City & County Council Louth County Council Offaly County Council Roscommon County Council South Dublin County Council Tipperary County Council Westmeath County Council	Cavan County Council Cork County Council Donegal County Council Dun Laoghaire Rathdown County Council Fingal County Council Galway City Council Kildare County Council Laois County Council Longford County Council Mayo County Council Meath County Council Monaghan County Council Sligo County Council Waterford City & County Council Wexford County Council Wicklow County Council	Carlow County Council Dublin City Council

3.2 Waste Enforcement

What this assessment measures

The Waste Enforcement performance indicators examine the completion of various waste inspections (e.g. waste permitted facilities, waste collectors, litter, hazardous waste, vehicle checkpoints, amongst others), submission of waste data, and performance of local authority waste facilities licenced by the EPA.

Significant effort is also spent by local authorities in relation to non-routine waste activities (e.g. unauthorised activities/illegal dumping, etc.) which is not included in this indicator as it is unplanned (non-routine) and therefore not easy to determine targets for. However, this can impact significantly on resources available for planned activities.

Why it is important?

Local authorities play a vital role in the enforcement of waste legislation in this country. As a group, they are the single largest 'waste enforcer', and therefore good enforcement by local authorities can have a significant impact on the management of waste in Ireland. Poor enforcement can lead to undermining good waste management practices undertaken and can encourage illegal activity by a few.



Figure 5: Local Authority Waste Enforcement Area National Grades, 2014 to 2016.

Results

Overall national performance for this indicator is **'Above Target'** (Figure 5). This is an improvement on the 2014 and 2015 assessments which were on **'Target'**. Specific areas making up this assessment are analysed as follows:

- ▲ It should be noted that the new annual returns validation system hosted by the National Waste Collection Permit Office (NWCPO) is currently being upgraded and the dataset was incomplete at the time of reporting. As a result, last year's (2015) data has been used for each local authority, pending the availability of the 2016 data. When the 2016 dataset is available from NWCPO, it will be incorporated into the 2016 Performance Indicators. The NWCPO have indicated that annual return validation data will be available for mid-year reporting from 2018 onwards.
- ▲ Local authorities meeting their planned waste inspection types has increased from 64% in 2014 to 87%.
- ▲ The number of litter inspections being carried out remains on **'Target'**. This indicates that local authorities are carrying out the required number of surveys that they have set for their authority. However, it is widely acknowledged that littering remains an area of concern².
- ▲ Local authorities operate a number of waste facilities that are licensed by the EPA, for example civic amenity sites. Local authority performance was **'Excellent'** regarding the operation of such sites.

² Department of Communications, Climate Action and Environment, 2016 Litter Survey Results: http://www.litter.ie/system_survey_results/index.shtml and Irish Business Against Litter, Press Release, 3rd January 2017: http://www.ibal.ie/press_releases/2017/2017-1.pdf

▲ Submission of local authority waste data to the EPA improved from **'Target'** in 2015 to **'Above Target'** in 2016 with over 90% of local authorities submitting on, before or within two weeks of the deadline.

A summary of the Waste National Performance Indicator grades (2014 to 2016) is presented in Figure 6 below.

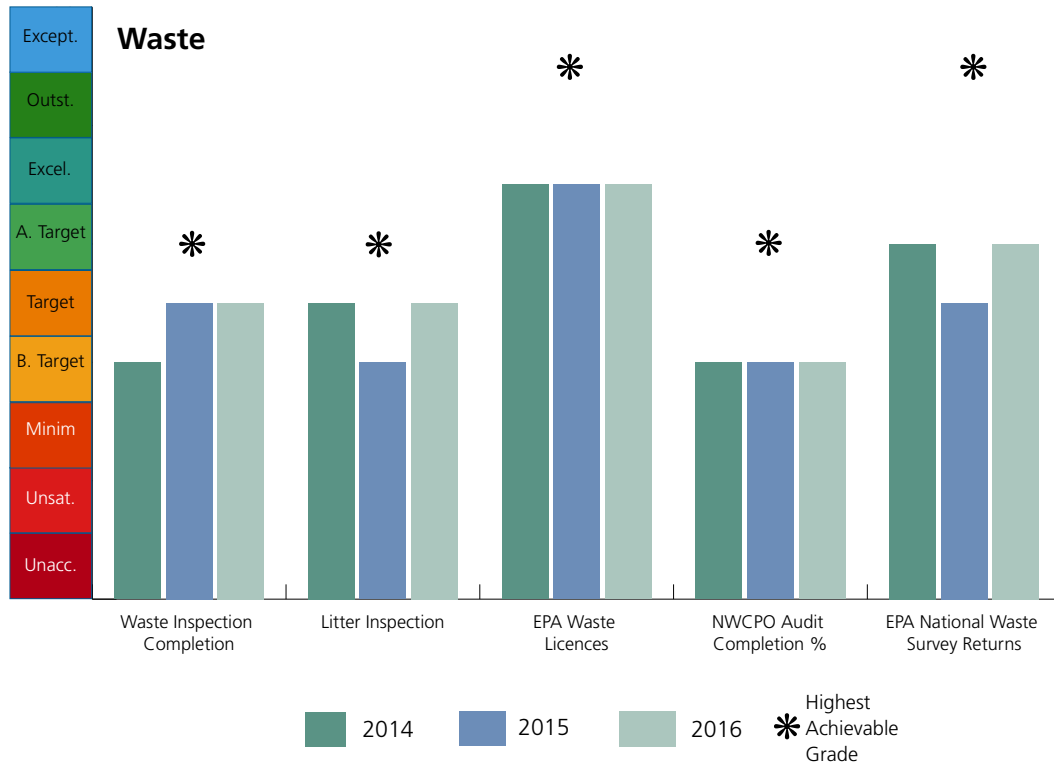


Figure 6: Waste National Performance Indicator Grades, 2014 to 2016.

Actions Required

Local authorities continue to underestimate the number of planned inspections to be completed each year, with the number of completed (routine) inspections exceeding the number of originally planned inspections by 61% (Table 9, Appendix I).

In addition, the inspection targets vary significantly between authorities, and regionalised planning and enforcement should result in the streamlining of resources and help ensure a more coherent approach to the deployment of enforcement resources.

To further strengthen the Performance Indicators, there is a requirement to move from the current, somewhat subjective, inspection targets set by the local authorities towards objective targets set at regional level by the Waste Enforcement Regional Lead Authorities (WERLAs).

The local authority Waste grades for 2016 are summarised in Table 4 below.

Table 4: Local Authority Waste Enforcement Area Grades, 2016.

'Excellent' and above assessments:	'Above target' & 'Target' assessments:	'Below target', 'Minimum', 'Unsatisfactory' and 'Unacceptable' assessments:
Clare County Council Cork City Council Cork County Council Dublin City Council Galway City Council Kildare County Council Laois County Council Limerick City & County Council South Dublin County Council Westmeath County Council	Carlow County Council Cavan County Council Donegal County Council Galway County Council Kerry County Council Kilkenny County Council Leitrim County Council Longford County Council Louth County Council Mayo County Council Monaghan County Council Offaly County Council Roscommon County Council Tipperary County Council Waterford City & County Council Wexford County Council Wicklow County Council	Dun Laoghaire Rathdown County Council Fingal County Council Meath County Council Sligo County Council

3.3 Water Enforcement

What this assessment measures

The Water Enforcement performance indicators examine the implementation of the Water Framework Directive (WFD), farm and septic tank inspections, including cross-reporting of non-compliances to the Department of Agriculture, Food and the Marine (DAFM), along with groundwater and hydrometric (river flow) monitoring schemes.

Why it is important?

Diffuse pollution and agricultural impacts, as well as smaller point sources, such as septic tanks and water pollution licences (e.g. unsewered hotels or small factories) can have significant impacts in some water catchments. These inspections are a key measure to protect surface and ground waters from excess nutrients.



Figure 7: Local Authority Water Enforcement Area National Grade, 2014 to 2016.

Results

Overall national performance for this indicator is **'Above Target'** (Figure 7). This is an improvement on the 2015 assessment and the 2014 baseline of **'Target'**. Specific areas making up this assessment are summarised as follows:

- ▲ Overall combined performance for farm inspections improved marginally from **'Minimum'** in 2015 and 2014 to **'Below Target'** in 2016. However, additional improvements are required from a national enforcement priority perspective. While there was continued improvement in completed versus planned farm inspections in 2016, farm inspection numbers continued to decrease with almost 200 less inspections undertaken in 2016 compared with the baseline year in 2014.
- ▲ There is still insufficient cross-reporting of farm non-compliances to the DAFM for Single Farm Payment penalties. On a national basis, only one-in-six (17%) farm non-compliances were stated as cross-reported to DAFM in 2016. This is even lower than the 2015 rate of 23% and the 2014 rate of 28%. National policy in this area is 100% cross-reporting of non-compliances. The assessment for this remains **'Unsatisfactory'** in 2016. Local authority farm inspections also serve to provide advice and guidance to farmers in relation to changing behaviour and improving environmental protection practices. As part of this role, local authorities have stated that cross-reporting can result in loss of stakeholder engagement where financial sanctions are applied and that minor non-compliances can be resolved through Section Notices and re-inspection.
- ▲ Almost one third of local authorities did not complete their planned inspections of discharge licenses to water and performance in this area remains **'Below Target'**. There is still significant variability in the number of Section 4³ licences registered across different local authorities. This suggests that there may be a number of unlicensed facilities in some functional areas.
- ▲ Completion of planned Water Framework Directive Investigative Assessments was on **'Target'** in 2016, an improvement on the 2015 **'Below Target'** grade.

3 Section 4 of the Local Government (Water Pollution) Act, 1977 & 1990, licensing of trade and sewage effluents.

- ▲ Performance remained on **'Target'** in 2016 for domestic waste water treatment system (DWWTS/septic tank) inspections in accordance with the National Inspection Plan.⁴ This is the same as in 2014 and 2015. The Environmental Protection Agency is responsible for the development of the National Plan which sets minimum numbers of inspections to be undertaken by local authorities. The aim of the Plan is to protect human health and water from the risks posed by domestic waste water treatment systems by using a two-strand approach of education and awareness strategies linked with a risk-based inspection process.
- ▲ Groundwater and hydrometric activities remained **'Above Target'** in 2016. However, four local authorities have no budgetary allocation or maintenance programmes in place for groundwater and hydrometric activities.

A summary of the Water National Performance Indicator grades (2014 to 2016) is presented in Figure 8 below.

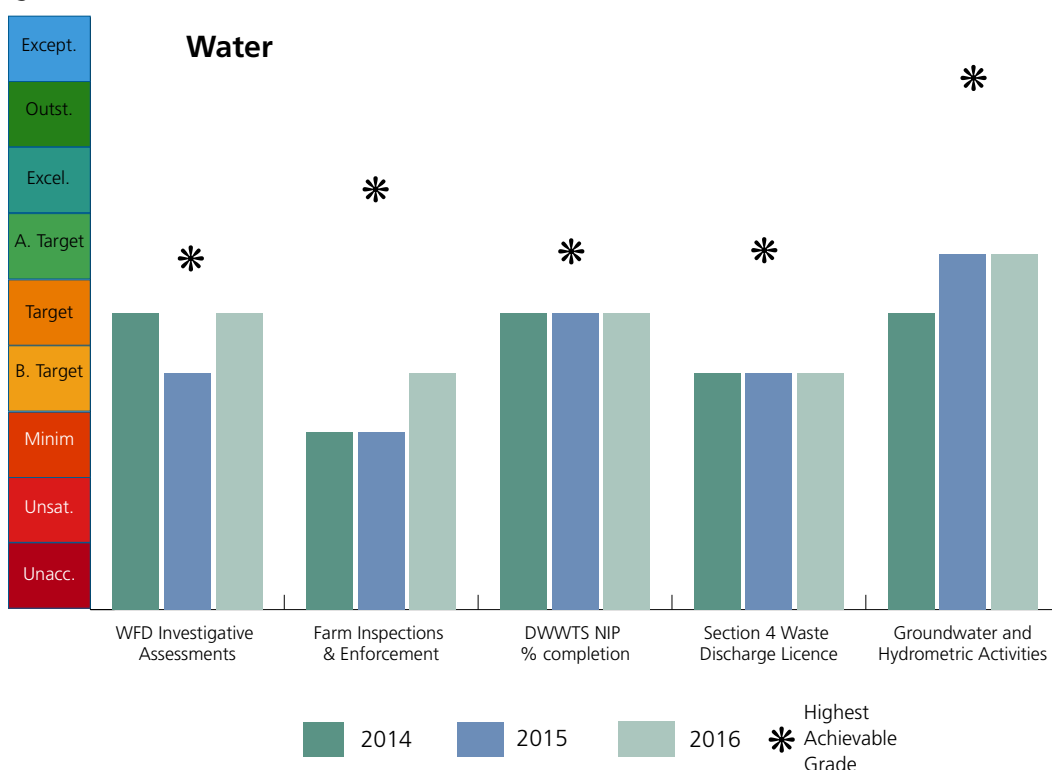


Figure 8: Water National Performance Indicator Grades, 2014 to 2016.

Actions Required

Reduced farm inspections and cross compliance reporting requires corrective action. There is a need for local authorities to address how farm inspections are planned and carried out and the subsequent implementation of cross-reporting of non-compliances to DAFM. The licensing and enforcement of discharge licenses should also be examined by a number of local authorities. A limited number of local authorities need to address groundwater and hydrometric implementation, for example, the establishment of maintenance programmes at monitoring boreholes and river gauges.

Overall in 2016 local authorities exceeded the National Inspection Plan target for domestic waste water systems (DWWTSs). However, some local authorities failed to reach the minimum number of inspections. Local authorities must ensure that they comply with the requirements of the National Inspection Plan. Advisory notices are issued by local authorities where a failure of a DWWTS is identified. Currently 473 remain open, 18 of which are open since 2013. Local authorities must endeavour to close out open advisory notices. As desludging, operation and

4 S.I. No. 2 of 2012 Water Services (Amendment) Act, 2012.

maintenance issues continue to be the main failures reasons, local authorities need to actively communicate with the public to provide them with information on the operation, maintenance and desludging of their septic tank systems and continue to use the material prepared by the DWWTs Engagement Working Group.

It is proposed to capture the increased effort involved in investigative assessment work for the Water Framework Directive within the next cycle of the performance indicators. In addition, it is proposed to incorporate a performance indicator for engagement activities for DWWTs/septic tanks, such as media campaigns and the provision of pre-inspection information. Weightings within the scheme will need to be examined if additional water performance indicators are incorporated.

The local authority Water grades for 2016 are summarised in Table 5 below.

Table 5: Local Authority Water Enforcement Area Grades, 2016.

‘Excellent’ and above assessments:	‘Above target’ & ‘Target’ assessments:	‘Below target’, ‘Minimum’ and ‘Unsatisfactory’ assessments:
Carlow County Council Dublin City Council Dun Laoghaire Rathdown County Council Galway County Council Kerry County Council Kildare County Council Laois County Council Louth County Council Meath County Council Roscommon County Council South Dublin County Council Westmeath County Council	Cavan County Council Clare County Council Cork City Council Donegal County Council Fingal County Council Kilkenny County Council Leitrim County Council Mayo County Council Monaghan County Council Tipperary County Council Wexford County Council Wicklow County Council	Cork County Council Limerick City & County Council Longford County Council Offaly County Council Sligo County Council Waterford City & County Council

Note: Galway City Council does not conduct any enforcement activities under the Water Enforcement Area as it is not relevant to the activities within their functional area.

3.4 Producer Responsibility Initiatives & Food Waste

What this assessment measures

The Producer Responsibility Initiatives and Food Waste Performance Indicators assess waste enforcement inspections in the area of waste electronic and electrical equipment (WEEE), waste tyres, waste batteries, and food waste.

Why it is important?

Local authorities ensure that producers make provision for recycling of finite natural resource-based materials and recovery of potentially environmentally harmful materials under various recycling initiatives. Enforcement in this area is aimed at ensuring participation and compliance with the recycling schemes to ensure Ireland meets our national recycling targets.



Figure 9: Local Authority Producer Responsibility Initiatives & Food Waste National Grade, 2014 to 2016.

Results

The overall national performance in this indicator remains **'Below Target'**⁵ (Figure 9). However, progress is being made, enforcement of the WEEE Regulations improved from **'Unsatisfactory'** in 2014 to **'Minimum'** in 2016, Battery Regulations enforcement improved from **'Unsatisfactory'** in 2014 to **'Below Target'** in 2016; and enforcement of Tyre and Food Waste Regulations improved from **'Minimum'** in 2014 to **'Below Target'** in 2016. A summary of the PRI & Food Waste National Performance Indicator grades (2014 to 2016) is presented in Figure 10 below.

⁵ It should be noted that the highest achievable grade for both the indicators and the Producer Responsibility and Food Waste Enforcement Area is **"Above Target"**.

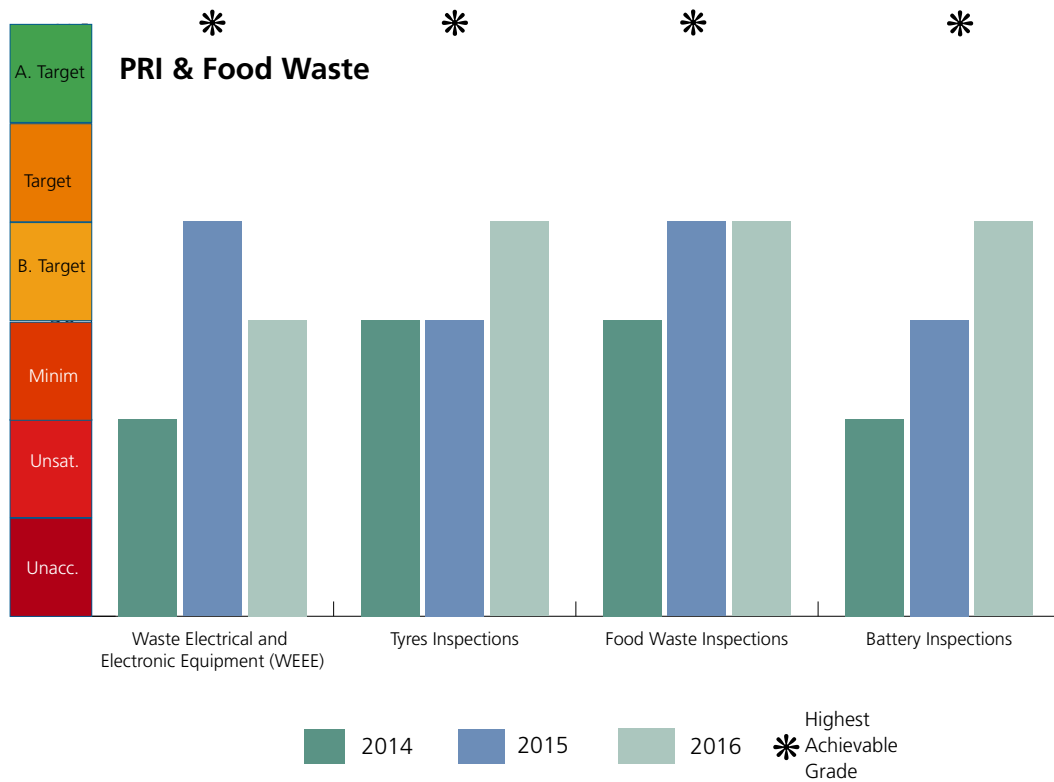


Figure 10: PRI & Food Waste National Performance Indicator Grades, 2014 to 2016.

Actions Required

The Performance Indicator framework has clearly identified shortcomings in this Enforcement Area. Local authorities should plan and undertake adequate inspections commensurate with the environmental risk in these areas. Given more stringent recycling/diversion targets in the future, EU targets may not be met unless performance improves.

Given the varied approach to the enforcement of the WEEE and Battery Regulations across local authorities, the EPA produced guidance and inspection templates for local authorities to use. The latest guidance was developed and published through NIECE⁶ in 2016. Local authority staff with responsibility for these regulations should become familiar with the guidance and templates. Additional inspections are required in this area with appropriate follow up to non-compliances and use of fixed payment notices (FPN) where necessary.

To further strengthen the performance indicators, there is a requirement to move from the current, somewhat subjective, inspection targets set by the local authorities towards objective targets set at regional level by the Waste Enforcement Regional Lead Authorities (WERLA).

Specifically, in relation to waste tyres which is one of the five priority areas as agreed by the National Waste Enforcement Steering Committee, the Minister has recently introduced new regulations⁷ designed to maximise the reuse, recycling and recovery of waste tyres. The regulations introduce a full compliance scheme that is operated by Repak ELT and impose obligations on persons who supply tyres to the Irish market, whether as retailers, importers or

6 Network for Ireland’s Environmental Compliance and Enforcement (NIECE) is a regulatory network designed to foster co-operation between the various agencies involved in the enforcement of environmental legislation so that a higher and more consistent standard of enforcement is achieved throughout the country.

7 Waste Management (Tyres and Waste Tyres) Regulation, 2017

manufacturers and on persons who manage waste tyres. In addition, it provides clarity in term of the roles of the various bodies involved including tyre operators and producers and additional enforcement roles for Local Authorities and the EPA.

As of July 2017, brown bins will be rolled out to population centres greater than 500 persons, i.e. to most towns and villages. Householders will be obliged to segregate their food waste, and make it available for separate collection, unless alternative authorised arrangements are employed. Local authority enforcement will be key in ensuring that the Food Waste Regulations are adhered to and that European targets for food waste diversion and recycling are met.

The local authority PRI & Food Waste grades for 2016 are summarised in Table 6 below.

Table 6: Local Authority PRI & Food Waste Grades, 2016⁸.

'Above target' & 'Target' assessments:	'Below target', 'Minimum' and 'Unsatisfactory' assessments:
Cork City Council	Carlow County Council
Dublin City Council	Cavan County Council
Dun Laoghaire Rathdown County Council	Clare County Council
Fingal County Council	Cork County Council
Galway City Council	Donegal County Council
Galway County Council	Kildare County Council
Kerry County Council	Kilkenny County Council
Leitrim County Council	Laois County Council
Longford County Council	Limerick City & County Council
Louth County Council	Monaghan County Council
Mayo County Council	Offaly County Council
Meath County Council	Sligo County Council
Roscommon County Council	Tipperary County Council
South Dublin County Council	Wexford County Council
Waterford City & County Council	
Westmeath County Council	
Wicklow County Council	

⁸ It should be noted that the highest achievable grade for the Producer Responsibility and Food Waste Enforcement Area is **"Above Target"**.

3.5 Air Enforcement

What this assessment measures

The Air Enforcement performance indicators examine the enforcement of the ban on the distribution and use of bituminous coal as well as controls on paints, solvent and petroleum vapours. It measures the completion of planned inspections across these areas. Inspections are directed at solid fuel merchants, motor factors, vehicle refinishers, paints suppliers and dry cleaners.

Why it is important?

The enforcement effort reduces particulates and other pollutants in the air and reduces adverse impacts on health and the environment. Particulate Matter (PM₁₀ and PM_{2.5}) are very small particles which can penetrate deep into the respiratory tract. Inhalation of these particles can increase the risk, frequency and severity of respiratory and cardiopulmonary disorders. The health impacts from the 'smoky coal' particulates, and the potential health, environmental and nuisance impacts from solvents, is well established.



Figure 11: Local Authority Air Enforcement Area National Grade, 2014 to 2016.

Results

The overall national performance in this indicator was assessed as 'Below Target' (Figure 11). This is a modest improvement on the 'Unsatisfactory' grade in 2015 and 'Minimum' in the 2014 baseline. Specific areas making up this assessment are summarised as follows:

- ▲ The performance assessment for solid fuel inspections has improved from '**Minimum**' in both 2015 and 2014 to '**Target**' in 2016. This is a notable improvement. However, even though inspection numbers have nearly doubled since 2012, there are still a number of local authorities not carrying out any inspections in this area.
- ▲ Gradual improvements have also occurred in the areas of decorative paints and solvents inspections with '**Below Target**' grade in 2016 compared with '**Minimum**' and '**Unsatisfactory**' in 2014 and 2015, respectively. Further work is required to reach '**Target**' performance but the trend is positive.
- ▲ Petroleum vapour enforcement continues to be a neglected area with an '**Unsatisfactory**' assessment in 2016, the third year running.
- ▲ Enforcement of the air indicators examined continues to be inconsistent nationwide, with some local authorities completing all planned inspections and others having a very low percentage completion rate.

A summary of the Air National Performance Indicator grades (2014 to 2016) is presented in Figure 12 below.

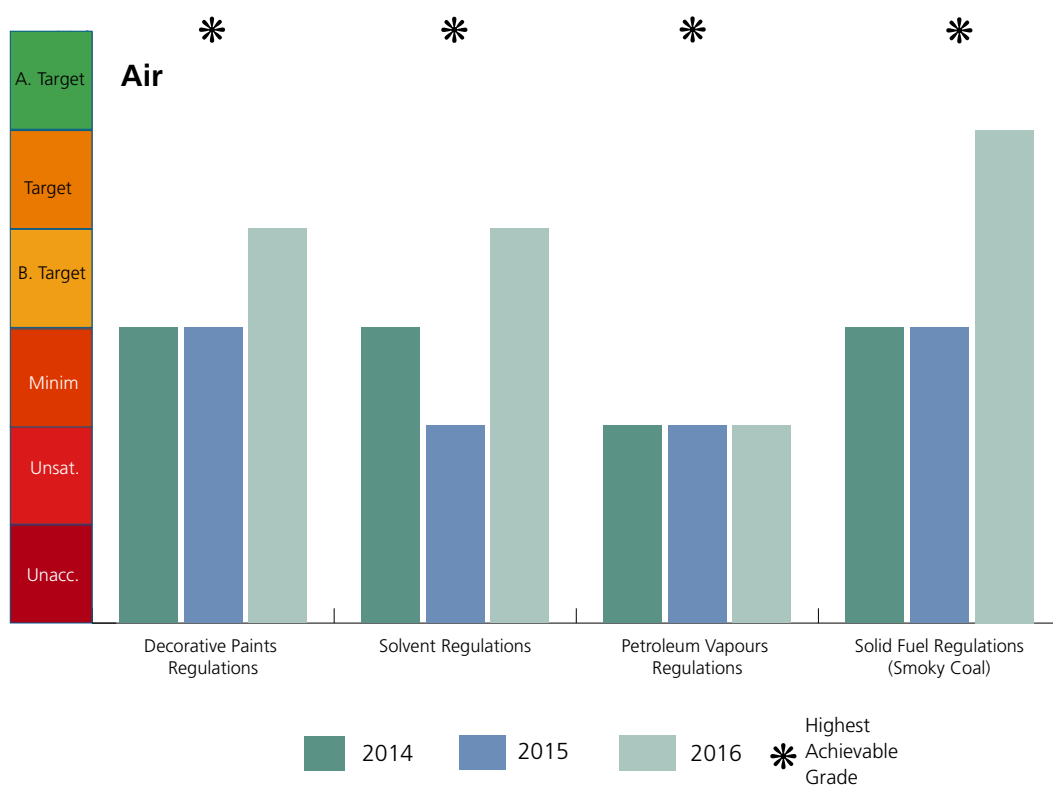


Figure 12: Air National Performance Indicator Grades, 2014 to 2016.

Actions Required

While modest improvements have occurred in the solid fuel, solvent and decorative paints enforcement areas, given the significant public health benefits of good local air quality in our towns and cities, increased enforcement in these areas is required to protect public health – in particular ‘smoky coal’ enforcement. Effective implementation and enforcement of the regulations is vital. Due to the challenges posed in the policing of mobile operators and an increase in the number of operators that are advertising online, a cross-agency approach to enforcement including local authorities, Revenue and the Department of Social Protection should be considered.

In addition, greater use of “Fixed Payment Notices” or “On-the-Spot” fines, should be considered as an additional enforcement tool. Currently, only a few local authorities are using these, with only 11 such notices issued in 2016 by 7 different local authorities. Local authority enforcement officers are also reporting that smoke nuisance from solid fuel home heating is a significant and growing air pollution problem for communities across the country.

Currently, the resources allocated to air quality issues by local authorities is very limited. Action needs to be taken to develop sufficient capacity and capabilities within the local authority network in relation to air quality. Additional resources for local authorities with the appointment of dedicated air specialists, should be considered to ensure a more joined-up approach between ambient air monitoring and enforcement. Furthermore, a regional approach to enforcement in relation to air quality issues would be considered beneficial, as it would increase efficiency through minimising duplication of effort across multiple local authorities.

The local authority Air grades for 2016 are summarised in Table 7 below.

Table 7: Local Authority Air Enforcement Area Grades, 2016.

‘Excellent’ and above assessments:	‘Above target’ & ‘Target’ assessments:	‘Below target’, ‘Minimum’, ‘Unsatisfactory’ and ‘Unacceptable’ assessments:
Clare County Council Cork City Council Cork County Council Dublin City Council Dun Laoghaire Rathdown County Council Fingal County Council Galway County Council Kerry County Council Kilkenny County Council Leitrim County Council Limerick City & County Council Louth County Council Meath County Council Offaly County Council Roscommon County Council South Dublin County Council Waterford City & County Council Westmeath County Council Wexford County Council	Carlow County Council Donegal County Council Galway City Council Kildare County Council Monaghan County Council	Cavan County Council Laois County Council Longford County Council Mayo County Council Sligo County Council Tipperary County Council Wicklow County Council

4. CONCLUSIONS AND RECOMMENDATIONS

Local Authority Environmental Enforcement Performance

The environmental enforcement performance of local authorities improved over the three year period 2014 to 2016, based on the 26 selected performance indicators included within the Framework. The overall national grade achieved in 2016 was “Above Target”, an improvement from “Target” in both 2014 and 2015. Out of 31 local authorities, 29 either met or exceeded the overall “Target” standard set for performance in environmental enforcement. This is a continued improvement from 14 in 2014 and 20 in 2015.

Although 71% of local authorities have improved their performance over the three years of the framework, 19% remained at the same grade from 2014 to 2016, and 10% showed a reduction in grade achieved. Thus, there is still significant potential for local authorities to enhance their performance in the future, particularly in the areas of air enforcement and producer responsibility and food waste. The individual Local Authority Performance Assessment Reports should enable local authorities to focus on and deliver improvements in identified areas and to improve the planning and recording of inspections and associated follow-up actions.

Areas that require improvement as identified by the Framework include:

- ▲ The need for better planning of environmental inspections across all areas to avoid underestimation of planned environmental inspection numbers;
- ▲ Ensuring that all enforcement activity is targeted at solving environmental problems and achieving environmental outcomes;
- ▲ Controls relating to the burning of solid fuels, to lessen the 1,500 premature deaths associated with air pollution;
- ▲ Segregation of household food waste and policing the brown bin collection services to increase recycling, avoid odour nuisance and reduce greenhouse gas emissions; and
- ▲ Management of waste tyres, to reduce the number of illegally dumped tyres around the countryside and minimise toxic fire threats.

It is likely that these will remain key issues into the future. All of the above require more concerted action at regional and national level to achieve consistent implementation and enforcement.

Performance Framework Assessment

The primary objective of the Framework is to provide local authority enforcement performance information to enable local authorities to make more informed decisions and support continual improvements regarding their own environmental performance.

The Framework also provides the EPA with information regarding trends relating to national environmental enforcement priorities. This assists the EPA in its supervisory role when making interventions in areas of need. In addition, it also provides information for Government to make better informed decisions regarding local authority environmental enforcement.

To this end, the Framework has enabled local authorities to identify areas within their enforcement plan that require additional attention and resources. Similarly, it has highlighted enforcement areas that require improvement, which collectively, will need to be addressed.

In addition, potential improvements that can be made within the framework have been identified as follows:







- ▲ The potential use of objective regional targets for waste and PRI inspections is being examined in consultation with the Waste Enforcement Regional Lead Authorities (WERLAs) and the Regional Waste Management Offices (RWMOs). Currently, a number of performance indicator inspection targets are somewhat subjectively based on the local authorities' own risk ranking and resource allocation.
- ▲ It is also proposed to capture the increased effort involved in investigative assessment work for the Water Framework Directive and engagement activities for domestic waste water treatment systems (DWWTS/septic tanks) within the next cycle of the performance indicators. Again, collaboration between the EPA, local authorities and the Local Authority Water and Community Offices (LAWCO) will be required to realise these developments.
- ▲ A review of each of the 26 performance indicators currently included within the Framework will be undertaken to assess their suitability for inclusion in the 2nd cycle (2017-2020) along with their relative weightings.
- ▲ The inclusion of new performance indicators, such as achievements against illegal dumping, will be considered to ensure that new and emerging environmental priorities are included, where relevant, within the Framework.

Overall, the review will strive to link enforcement indicators to solving environmental problems and achieving environmental outcomes.

APPENDIX I – CONTEXT OF ENVIRONMENTAL ACTIVITY

The following table (Table 8) provides a broad outline of the context in which local authorities operate. It gives an idea of the volume of the workload included in the enforcement and inspection of the many environmental regulations required of a local authority and the resources available to carry out such work.

Table 8: Summary of National Environmental Enforcement and Inspection Data, 2016.

Environmental Indicator	Number	Description	2014 – 2016 Trend
National percentage of planned vs. completed inspections across all areas examined	132%	Generally, an underestimation of planned inspection numbers, although this has decreased from 2014 to 2016 by 8%.	
Number of environmental complaints received	~64,500	This level of activity is within the normal range seen by local authorities over the past number of years.	
Total number of inspections undertaken	~140,000	This is an increase in activity from 2014 (~130,000 inspections) but a decrease from 2015 (~150,000 inspections). Around a quarter are reactive, such as responding to complaints or incidents.	
Total No. Licences/ Permits/Certificates/ Registrations	~9,400	This includes all licence/permits/certificates/ registrations across the waste, water and air sectors. The increase in 2016 (from 7,800 in 2015) relates to the new recording of Tyre and ELV sites plus increases in Section 4 licences, packaging self-compliers and petroleum vapour registrations.	
Enforcement Actions Taken	~14,900	Significant increase in enforcement actions (approximately 9,000 in 2015 and 7,000 in 2014) owing to improved reporting of litter fines in 2016.	
Total No. Prosecutions	~400	The vast majority (almost 90%) of these prosecutions are in the waste area.	

There has been a steady decline in local authority environment staff available for environmental enforcement over the past number of years, as illustrated in Figure 13 below. While 2016 saw a small increase in staff numbers, there are approximately 150 less local authority enforcement staff available nationally in comparison with 2008, which represents a 26% reduction. There has

been a decrease in local authority staff in the water area since the transfer of certain functions to Irish Water, such as, in the areas of Section 16 discharge licences to sewers, urban wastewater and drinking water treatment plants.

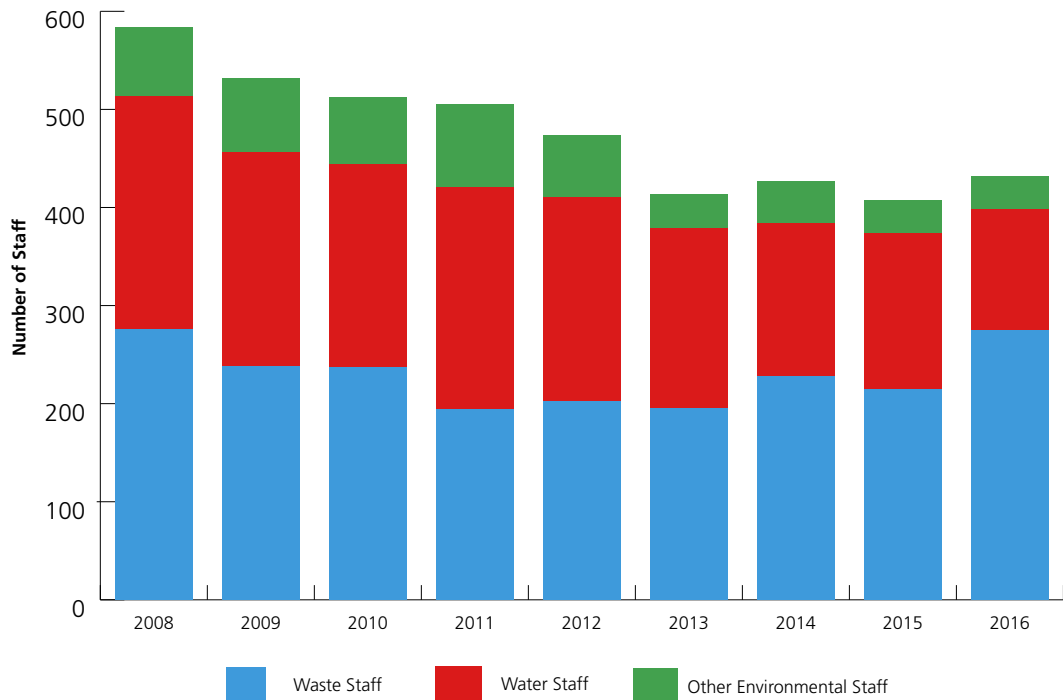


Figure 13: Local Authority Environmental Enforcement Staff Numbers Breakdown, 2008 to 2016.

Local authorities reported that their average staff capacity during 2016 was 88% of their expected staffing levels. Capacity includes both the experience and expertise of staff members and their availability. This was roughly equivalent to 2015 levels (87%) and still an increase from 82% in 2014. However, capacity varied considerably, e.g. 19 local authorities reported between 90-100% of expected capacity while six local authorities reported between 80-89% and another six reported less than 80% available capacity during 2016.

The number of completed inspections from 2008 to 2016 is presented in Figure 14 below. The overall numbers of environmental inspections have remained largely similar since 2008, however, the composition of the overall number has varied, particularly in the waste and water/wastewater areas. An increase in the number of waste inspections has been recorded since 2014. This is attributable to better reporting of litter inspection data by local authorities, associated with the introduction of the Performance Assessment Framework. A reduction in water/wastewater inspections since 2014 is associated with the decrease in local authority staff following the transfer of certain functions to Irish Water.

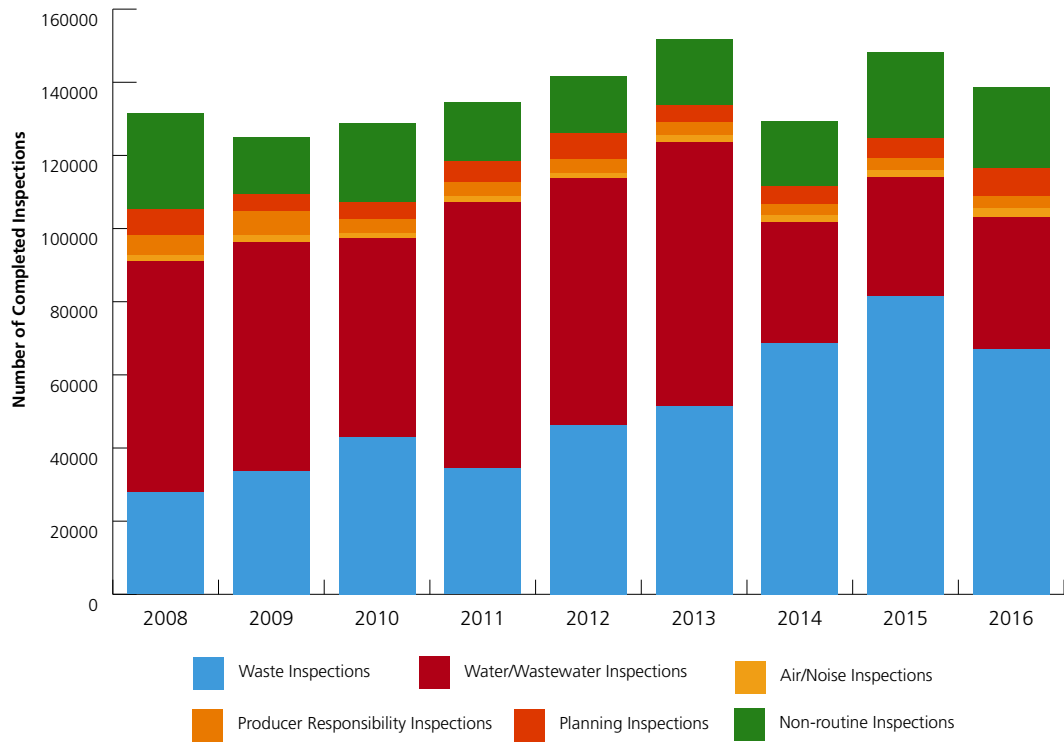


Figure 14: Number of Completed Local Authority Environmental Inspections, 2008 to 2016.

The total volume of environmental enforcement activity for 2016 is compared with 2015 and 2014 in Table 9 below. These include 20 activity (output) indicators which examine planned, targeted or mandated environmental actions.

Table 9: Activity Indicators (Outputs)⁹.

Enforcement Actions	2014	2015	2016
1. Total No. Licences/Permits/Certs	~6,400	~7,800	~9,400
2. Total inspections	~130,000	~150,000	~140,000
3. Total No. of Environmental Complaints Received	63,160	58,707	64,618
(a) Of which are litter complaints	45,719	43,144	47,773
4. Total No. Enforcement Actions Taken	~7,000	~8,900	~14,900
5. Total No. Prosecution Actions Initiated	~500	~500	~400
Waste	2014	2015	2016
6. Total No. Routine Completed Waste Inspections ¹⁰	6,462	14,823	10,059
Completed Waste Inspections, as a %age of planned inspections	146%	110%	161%
7. Number of litter patrols completed	55,480	58,337	51,780
No. litter patrols/inspections per 5,000 population	60.4	63.5	56.4
8. % Completion of Waste Collection Permit Data Verification	88%	90%	N/A ¹¹
Water	2014	2015	2016
9. Total No. WFD Investigative Assessments Completed ¹²	12,006	11,046	14,503
Completed WFD Investigative Assessments, as a %age of planned inspections	109%	108%	121%
10. Total No. Farm Inspections Completed	3,533	3,352	3,329
Completed Farm Inspections, as a %age of planned inspections	89%	100%	117%
11. No. Inspections required in Septic Tank National Inspection Plan	1,002	1,012	1,006
Completed septic tank visits, as a %age of planned inspections	109%	109%	250%
12. Total No. Discharge Licence (S4) Inspections Completed	2,135	2,147	2,569
Completed S4 Inspections, as a %age of planned inspections	128%	114%	133%

⁹ 2014 and 2015 percentage completion figures amended from previous reports.

¹⁰ This is a subset of total waste inspections carried out and does not include non-routine waste inspections such as illegal dumping investigations.

¹¹ The new annual returns validation system hosted by the National Waste Collection Permit Office (NWCPO) is currently being upgraded and the dataset was incomplete at the time of reporting.

¹² This includes the WFD Investigative Monitoring Programme and additional WFD assessments undertaken by local authorities such as small stream risk score, river surveys etc.

Producer Responsibility Initiatives	2014	2015	2016
13. Total No. WEEE Inspections Completed	687	771	687
Completed WEEE Inspections as a %age of planned inspections	77%	109%	99%
14. Total No. Tyre Inspections Completed	581	688	1,363
Completed Tyre Inspections, as a %age of planned inspections	93%	102%	117%
15. Total No. Food Waste Inspections Completed	6,144	7,722	3,872
Completed Food Waste Inspections, as a %age of planned inspections	123%	154%	164%
16. Total No. Battery Inspections Completed	656	730	814
Completed Battery Inspections, as a %age of planned inspections	71%	107%	104%
Air	2014	2015	2016
17. Total No. Decorative Paint Regulation Inspections	425	407	626
Completed Decorative Paint Inspections, as a %age of planned inspections	85%	104%	184%
18. Total No. Solvent Regulation Inspections	139	172	204
Completed Solvent Inspections, as a %age of planned inspections	70%	110%	109%
19. Total No. Petroleum Vapour Regulation Inspections	276	258	288
Completed Petroleum Vapour Inspections, as a %age of planned inspections	94%	120%	81%
20. Total No. Solid Fuel Regulation Inspections	1,003	856	1,092
Completed Solid Fuel Inspections, as a %age of planned inspections	105%	104%	141%

Activity (output) data is limited to describing the type and number of enforcement activities carried out by local authorities. It describes what they planned to do or are legally mandated to do and to what extent they did what was required of them. Outputs achieved should be considered in the context of population size and available staff resources. The aim of the environmental enforcement performance indicators covered earlier is to assess these environmental activities in terms of completion rates, which is the first step to actual environmental improvements and outcomes.

APPENDIX II – NATIONAL GRADE RESULTS SUMMARY TABLE

Overall Local Authority Grade for:	National Grade	Enforcement Systems Grade	Highest Achievable Grade ¹		
			2014	2015	2016
1. Enforcement Systems	21% weighting	Enforcement Systems Grade	Target	Target	Above Target
		1.1 Complaints Contact	Target	Target	Target
		1.2 RMCEI Contact	Target	Target	Target
		1.3 Enforcement Plan Evaluation	Exceptional	Above Target	Above Target
		1.4 Enforcement Plan Return	Above Target	Unsatisfactory	Below Target
		1.5 Annual Statistical Return	Above Target	Unsatisfactory	Below Target
		1.6 S63 Notices Issued	Target	Below Target	Below Target
1.7 S63 Directions Issued	Target	Target	Below Target		
2. Waste	22% weighting	Waste Grade	Outstanding	Target	Above Target
		2.1 Waste Inspection Completion	Above Target	Below Target	Target
		2.2 Litter Inspection	Above Target	Target	Target
		2.3 EPA Waste Licences	Exceptional	Excellent	Excellent
		2.4 NWCPO Audit Completion %	Above Target	Below Target	Below Target ²
3. Water	32% weighting	2.5 EPA National Waste Survey Returns	Exceptional	Above Target	Above Target
		Water Grade	Outstanding	Target	Above Target
		3.1 WFD Investigative Assessments	Above Target	Target	Target
		3.2 & 3.3 Farm Inspections & Enforcement	Excellent	Minimum	Below Target
		3.4 DWWTS NIP % Completion	Above Target	Target	Target
		3.5 S4 Discharge Licences	Above Target	Below Target	Below Target
4. PRI & Food Waste	10% weighting	3.6 Ground Water & Hydrometric Activities	Exceptional	Target	Above Target
		PRI & Food Waste Grade	Above Target	Minimum	Below Target
		4.1 WEEE	Above Target	Unsatisfactory	Minimum
		4.2 Tyres Inspections	Above Target	Minimum	Below Target
		4.3 Food Waste Inspections	Above Target	Minimum	Below Target
		4.4 Battery Inspections	Above Target	Unsatisfactory	Below Target
5. Air	15% weighting	Air Grade	Exceptional	Unsatisfactory	Below Target
		5.1 Decorative Paints Regulations	Above Target	Minimum	Below Target
		5.2 Solvent Regulations	Above Target	Minimum	Below Target
		5.3 Petroleum Vapours Regulations	Above Target	Unsatisfactory	Unsatisfactory
		5.4 Solid Fuel Regulations (Smokey Coal)	Above Target	Minimum	Target

1 An overview of the grading system can be found in Appendix 3, with a detailed explanation published in the *Local Authority Environmental Enforcement, Guidance Booklet B*.

2 Awaiting 2016 results from NWCPO. Result for 2016 in table is from 2015.

3 An incorrect weighting of 15% was applied to the 2015 DWWTS score. The correct weighting of 10% was applied to the 2016 data.

Figure 15: National Grade Results Summary Table

APPENDIX III – OVERVIEW OF ASSESSMENT METHODOLOGY

The environmental enforcement conducted by the local authorities are classified into five ‘Enforcement Areas’ – Enforcement Systems, Waste, Water, Producer Responsibility Initiatives (PRI) & Food Waste, and Air. Each Enforcement Area is further subdivided into ‘Performance Indicators’, as per Table 1 above. There are 26 Performance Indicators. The Performance Indicators are the basis of the scoring and grading system used to assess local authorities’ environmental enforcement performance with the Framework.

A summary of the environmental enforcement assessment continual improvement process is presented in Figure 16 and Table 10 below.

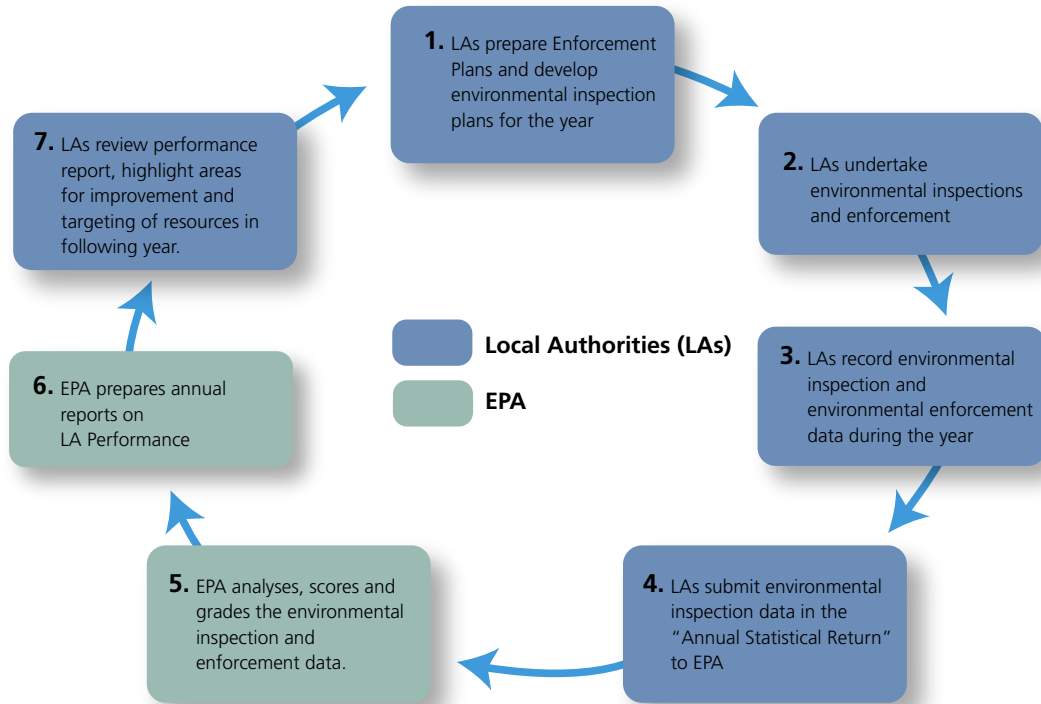


Figure 16: Environmental Enforcement Continual Improvement Process.

Table 10: Summary of Environmental Enforcement Assessment Process.

1.	Each year, local authorities (LAs) prepare an ‘Enforcement Plan’ ¹³ (Performance Indicator 1.3). The Plan sets out the number of inspections that the Local Authorities expect to undertake (‘Planned Inspections’) across the five Enforcement Areas for that calendar year. The Enforcement Plan is submitted to the EPA at the end of January, along with the previous year’s environmental inspection data, which is referred to as the ‘Annual Statistical Return’.
2.	Throughout the calendar year, local authorities undertake environmental inspections and enforcement activities across the five Enforcement Areas.
3.	The local authorities record the number of environmental enforcement and inspection activities completed (planned/routine and unplanned/non-routine) during the year.
4.	The local authorities submit the data on environmental inspections to the EPA by the end of January of the following calendar year.
5.	<p>Analysis, Scoring and Grading of Inspection Data by EPA:</p> <ul style="list-style-type: none"> a. The EPA collates the data received from the 31 local authorities into a central database. b. The EPA calculates a score for each Performance Indicator for all the local authorities. In most cases, the score is based on the environmental inspections percentage completion i.e. the number of completed inspections compared to the number of planned inspections set out by the local authority in their Enforcement Plan, expressed as a percentage. A high score is achieved when the number of completed inspections is equal to or greater than the number of planned inspections, within defined limits. c. The score is then translated into a ‘grade’. The grades are based around a 9 point grading scale, ranging from the highest, “Exceptional”, to the lowest, “Unacceptable (Table 2 above). Not all Performance Indicators are based on the 9 point scale. Figure 15 shows the highest achievable grades for each Performance Indicator, Enforcement Area and Overall Grade. d. The Enforcement Plan (Performance Indicator 1.3) prepared by the LA for the following year is reviewed and graded by the EPA along with the other Performance Indicators. e. A weighting is applied to the scores from each Performance Indicator. The Performance Indicators are assigned a weighting depending on national enforcement priorities, environmental significance and importance. The Performance Indicators for each Enforcement Area are combined to calculate a score and a corresponding grade for each of the five Enforcement Areas. f. A weighting is then applied to each Enforcement Area to give an ‘Overall Grade’, which is a summary grade for that local authority’s overall performance in environmental enforcement for that year. The weightings of the Enforcement Systems, Water and Waste Enforcement Areas constitute the 75% of the weightings, based on their national importance, the significant amount of data reported by local authorities and their strategic importance in the national enforcement context. It is considered that less data and less environmentally significant outcomes are directly under the control of LAs in the areas of PRI and Air, hence they have a lower weighting. g. A small adjustment to the Overall Grade is applied in instances of reduced staff capacity. h. The grades for each of the local authorities are combined to give a ‘National Grade’ in each of the Performance Indicators, Enforcement Areas and an Overall National Grade.

¹³ For a number of years, local authorities have developed Enforcement Plans to improve the organisation and effectiveness of environmental inspections and enforcement. This arose from an EU Recommendation¹ (Recommended Minimum Criteria for Environmental Inspections (RMCEI) to undertake inspections of regulated installations and to review and report on those site inspections. These plans are risk based and they implement a range of environmental enforcement activities based on local and national priorities.

- | | |
|----|---|
| 6. | The EPA prepares annual reports summarising local authorities' performance. |
| 7. | The outcomes of the assessment (i.e. the grades) are reviewed by the local authorities, and areas for improvement are identified which can be targeted in the next year's Enforcement Plan and into the following year's cycle. |

Enforcement Area grades are calculated from the individual Performance Indicators comprising that Enforcement Area. The Performance Indicators may be on a different, lower scale to the Enforcement Areas. Thus, the Performance Indicator grade may be 'scaled up' to a higher grade for the Enforcement Area grading. For example, to calculate the Air Grade, the scores from four Air Performance Indicators, which are all on a 6 point scale, (highest grade 'Above Target') are used. The Air Grade is on a 9 point scale (highest grade 'Exceptional'). If four 'Above Target' grades from the Air Performance Indicators was achieved, this would result in an Air Grade of 'Exceptional'. The same grading approach also applies to the Enforcement Systems, Waste and Water Grades where Performance Indicator grades on lower scales are scaled up to the higher 9 point scale. The adjustment of Performance Indicators to a lower scale was undertaken to maintain the credibility and integrity of the scoring and grading system. In the testing phase of the Framework, and following feedback from the focus group, it became clear that some potential might exist for grades to be manipulated in certain cases. The possibility could exist that a low planned target might be set and the resulting actual activity might then be inadvertently over rewarded. Thus, it was decided to limit this possibility in 22 of the 26 individual Performance Indicators by removing the grades higher than 'Target' or 'Above Target'.

The weightings of the Performance Indicators and Enforcement Areas as a percentage of the Overall Grade are presented in Figure 17 below.

For further details regarding the assessment methodology and the Framework, please refer to Guidance Booklets A '*How It Works*'¹⁴ and B '*Practitioner's Guide to Indicators*'¹⁵ for more details).

14 Local Authority Environmental Enforcement - The Performance Measurement Framework: How it Works - Guidance Booklet A <http://www.epa.ie/pubs/reports/enforcement/performanceframework/howitworksguidancebookleta.html>

15 Local Authority Environmental Enforcement - Performance Indicator Workbook: Practitioners Guide to Understanding Indicators - Guidance Booklet B <http://www.epa.ie/pubs/reports/enforcement/performanceframework/laperformanceindicatorworkbookguidanceb.html>

Weightings

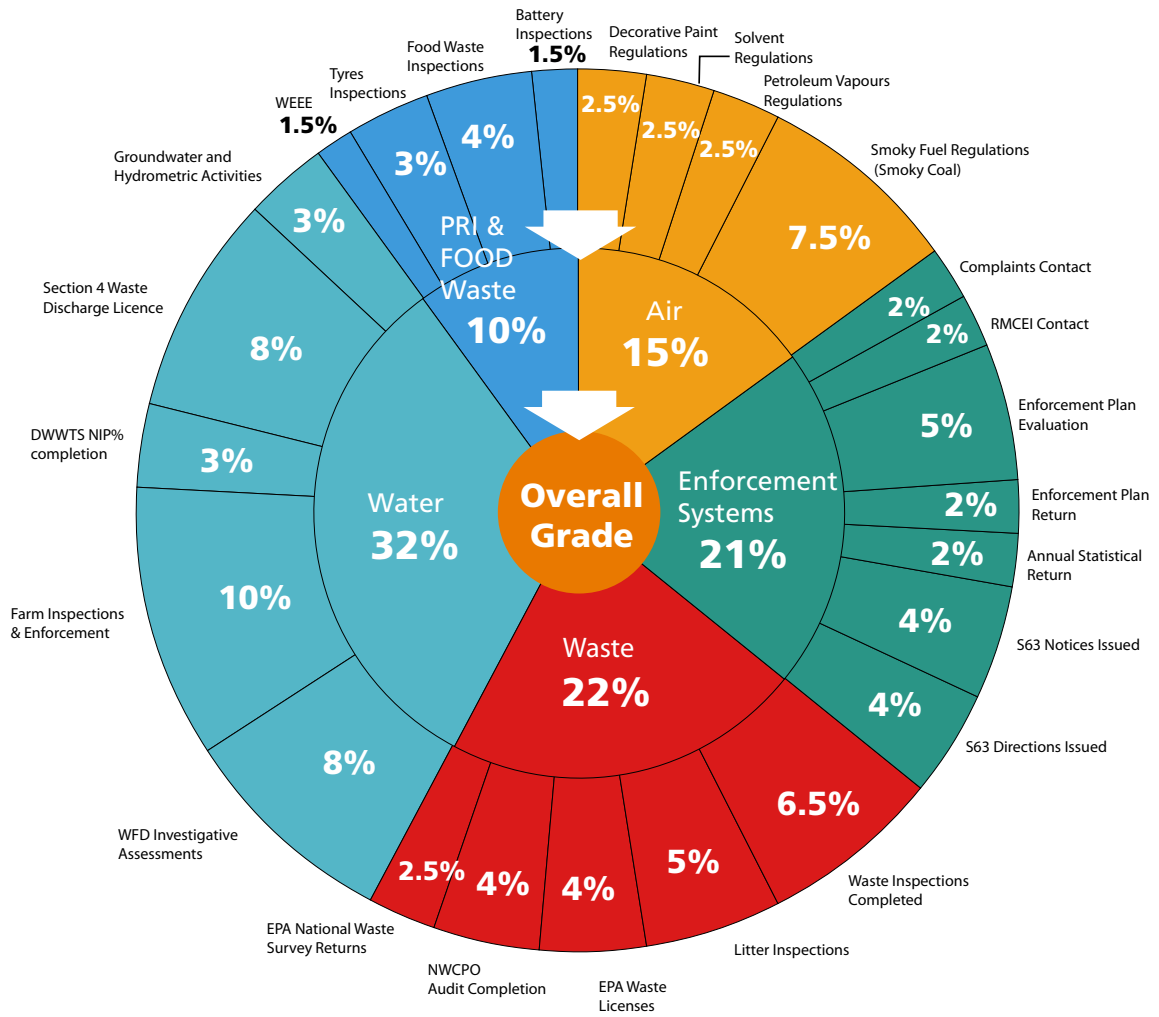


Figure 17: Performance Indicator and Enforcement Area Weightings as a Percentage of the Overall Grade.

AN GHNÍOMHAIREACTH UM CHAOMHNÚ COMHSHAOIL

Tá an Gníomhaireacht um Chaomhnú Comhshaoil (GCC) freagrach as an gcomhshaoil a chaomhnú agus a fheabhsú mar shócmhainn luachmhar do mhuintir na hÉireann. Táimid tiomanta do dhaoine agus don chomhshaoil a chosaint ó éifeachtaí díobhálacha na radaíochta agus an truaillithe.

Is féidir obair na Gníomhaireachta a roinnt ina trí phríomhréimse:

Rialú: Déanaimid córais éifeachtacha rialaithe agus comhlíonta comhshaoil a chur i bhfeidhm chun torthaí maíthe comhshaoil a sholáthar agus chun díriú orthu siúd nach gcloíonn leis na córais sin.

Eolas: Soláthraimid sonraí, faisnéis agus measúnú comhshaoil atá ar ardchaighdeán, spriocdhíríte agus tráthúil chun bonn eolais a chur faoin gcinnteoireacht ar gach leibhéal.

Tacaíocht: Bímid ag saothrú i gcomhar le grúpaí eile chun tacú le comhshaoil atá glan, táirgiúil agus cosanta go maíthe, agus le hiompar a chuirfidh le comhshaoil inbhuanaithe.

Ár bhFreagrachtaí

Ceadúnú

- Déanaimid na gníomhaíochtaí seo a leanas a rialú ionas nach ndéanann siad dochar do shláinte an phobail ná don chomhshaoil:
- saoráidí dramhaíola (*m.sh. láithreáin líonta talún, loisceoirí, stáisiúin aistrithe dramhaíola*);
- gníomhaíochtaí tionsclaíoch ar scála mór (*m.sh. déantúsaíocht cógaisíochta, déantúsaíocht stroighne, stáisiúin chumhachta*);
- an diantalmhaíocht (*m.sh. muca, éanlaith*);
- úsáid shrianta agus scaoileadh rialaithe Orgánach Géinmhodhnaithe (*OGM*);
- foinsí radaíochta ianúcháin (*m.sh. trealamh x-gha agus radaiteiripe, foinsí tionsclaíochta*);
- áiseanna móra stórála peitiril;
- scardadh dramhuisce;
- gníomhaíochtaí dumpála ar farraige.

Forfheidhmiú Náisiúnta i leith Cúrsaí Comhshaoil

- Clár náisiúnta iniúchtaí agus cigireachtaí a dhéanamh gach bliain ar shaoráidí a bhfuil ceadúnas ón nGníomhaireacht acu.
- Maoirseacht a dhéanamh ar fhreagrachtaí cosanta comhshaoil na n-údarás áitiúil.
- Caighdeán an uisce óil, arna sholáthar ag soláthraithe uisce phoiblí, a mhaoirsiú.
- Obair le húdaráis áitiúla agus le gníomhaireachtaí eile chun dul i ngleic le coireanna comhshaoil trí chomhordú a dhéanamh ar líonra forfheidhmiúcháin náisiúnta, trí dhírú ar chiontóirí, agus trí mhaoirsiú a dhéanamh ar leasúchán.
- Cur i bhfeidhm rialachán ar nós na Rialachán um Dhramhthrealamh Leictreach agus Leictreonach (DTLL), um Shrian ar Shubstaintí Guaiseacha agus na Rialachán um rialú ar shubstaintí a ídíonn an ciseal ózón.
- An dlí a chur orthu siúd a bhriseann dlí an chomhshaoil agus a dhéanann dochar don chomhshaoil.

Bainistíocht Uisce

- Monatóireacht agus tuairiscí a dhéanamh ar cháilíocht aibhneacha, lochanna, uiscí idirchriosacha agus cósta na hÉireann, agus screamhuisce; leibhéal uisce agus sruthanna aibhneacha a thomhas.
- Comhordú náisiúnta agus maoirsiú a dhéanamh ar an gCreat-Treoir Uisce.
- Monatóireacht agus tuairiscí a dhéanamh ar Cháilíocht an Uisce Snámha.

Monatóireacht, Anailís agus Tuairiscí ar an gComhshaoil

- Monatóireacht a dhéanamh ar cháilíocht an aeir agus Treoir an AE maidir le hAer Glan don Eoraip (CAFÉ) a chur chun feidhme.
- Tuairiscí neamhspleách le cabhrú le cinnteoireacht an rialtais náisiúnta agus na n-údarás áitiúil (*m.sh. tuairiscí tréimhsiúil ar staid Chomhshaoil na hÉireann agus Tuarascálacha ar Tháscairí*).

Rialú Astaíochtaí na nGás Ceaptha Teasa in Éirinn

- Fardail agus réamh-mheastacháin na hÉireann maidir le gáis cheaptha teasa a ullmhú.
- An Treoir maidir le Trádáil Astaíochtaí a chur chun feidhme i gcomhair breis agus 100 de na táirgeoirí dé-ocsaíde carbóin is mó in Éirinn

Taighde agus Forbairt Comhshaoil

- Taighde comhshaoil a chistiú chun brúnna a shainaitheint, bonn eolais a chur faoi bheartais, agus réitigh a sholáthar i réimsí na haeráide, an uisce agus na hinbhuanaitheachta.

Measúnacht Straitéiseach Timpeallachta

- Measúnacht a dhéanamh ar thionchar pleananna agus clár beartaithe ar an gcomhshaoil in Éirinn (*m.sh. mórphleananna forbartha*).

Cosaint Raideolaíoch

- Monatóireacht a dhéanamh ar leibhéal radaíochta, measúnacht a dhéanamh ar nochtadh mhuintir na hÉireann don radaíocht ianúcháin.
- Cabhrú le pleananna náisiúnta a fhorbairt le haghaidh éigeandálaí ag eascairt as taismí núicléacha.
- Monatóireacht a dhéanamh ar fhorbairtí thar lear a bhaineann le saoráidí núicléacha agus leis an tsábháilteacht raideolaíochta.
- Sainseirbhísí cosanta ar an radaíocht a sholáthar, nó maoirsiú a dhéanamh ar sholáthar na seirbhísí sin.

Treoir, Faisnéis Inrochtana agus Oideachas

- Comhairle agus treoir a chur ar fáil d'earnáil na tionsclaíochta agus don phobal maidir le hábhair a bhaineann le caomhnú an chomhshaoil agus leis an gcosaint raideolaíoch.
- Faisnéis thráthúil ar an gcomhshaoil a bhfuil fáil éasca a chur ar fáil chun rannpháirtíocht an phobail a spreagadh sa chinnteoireacht i ndáil leis an gcomhshaoil (*m.sh. Timpeall an Tí, léarscáileanna radóin*).
- Comhairle a chur ar fáil don Rialtas maidir le hábhair a bhaineann leis an tsábháilteacht raideolaíoch agus le cúrsaí práinnfhreagartha.
- Plean Náisiúnta Bainistíochta Dramhaíola Guaisí a fhorbairt chun dramhaíl ghuaiseach a chosc agus a bhainistiú.

Múscailt Feasachta agus Athrú Iompraíochta

- Feasacht chomhshaoil níos fearr a ghiniúint agus dul i bhfeidhm ar athrú iompraíochta dearfach trí thacú le gnóthais, le pobail agus le teaghlaigh a bheith níos éifeachtúla ar acmhainní.
- Tástáil le haghaidh radóin a chur chun cinn i dtithe agus in ionaid oibre, agus gníomhartha leasúcháin a spreagadh nuair is gá.

Bainistíocht agus struchtúr na Gníomhaireachta um Chaomhnú Comhshaoil

Tá an ghníomhaíocht á bainistiú ag Bord lánaimseartha, ar a bhfuil Ard-Stiúrthóir agus cúigear Stiúrthóirí. Déantar an obair ar fud cúig cinn d'Oifigí:

- An Oifig um Inmharthanacht Comhshaoil
- An Oifig Forfheidhmithe i leith cúrsaí Comhshaoil
- An Oifig um Fianaise is Measúnú
- Oifig um Chosaint Radaíochta agus Monatóireachta Comhshaoil
- An Oifig Cumarsáide agus Seirbhísí Corparáideacha

Tá Coiste Comhairleach ag an nGníomhaireacht le cabhrú léi. Tá dáréag comhaltaí air agus tagann siad le chéile go rialta le plé a dhéanamh ar ábhair inní agus le comhairle a chur ar an mBord.



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