



**NOTIFICATION TO ATTEND MEETING OF THE ENVIRONMENT SPC
TO BE HELD IN THE RICHARD O'CARROLL ROOM - CITY HALL,
ON WEDNESDAY 25 FEBRUARY 2015 AT 4.00 PM**

AGENDA

WEDNESDAY, 25 FEBRUARY 2015

		PAGE
1	Minutes of the Environment Strategic Policy Committee meetings held on 26th November 2014 and 23rd January 2015. (Copy Attached)	1 - 2
2	Dublin City Council Litter Management Plan 2015 - 2018 (Presentation Attached)	3 - 12
3	Update on Waste Regulation regarding Pay by Weight	13 - 18
4	Capita Recommendations & Dublin Waste to Energy Project update (Report Attached)	19 - 24
5	Motion referred from the North West Area Committee	25 - 26
	<i>"That this Committee is opposed to the removal of public bins by DCC staff as a solution to illegal dumping crisis in the Northwest area."</i>	
6	A.O.B.	

This page is intentionally left blank



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Minutes of the Meeting Environment Strategic Policy Committee, held on 25th February 2015.

1. Minutes of meeting held on 26th November 2014 and 23rd January 2015

Agreed.

2. Dublin City Council Litter Management Plan 2015 – 2018.

The presentation was discussed and noted.

It was agreed that a roundtable meeting be held on 22nd April 2015 at 2.00pm to discuss the plan in detail.

It was also agreed that the Chair would write to the Minister for the Environment, Community and Local Government in relation to the introduction of a possible levy on Chewing Gum.

3. Update on Waste Regulations regarding Pay by Weight.

Report discussed and noted.

4. Capita Recommendations & Dublin Waste to Energy Project update.

The report was discussed in detail and the members expressed their desire to have SPC Membership representation on the Project Board and the Project Executive Board. Mr. Wallace outlined that the oversight of this project is, in fact an Executive Function and it should not be SPC Member representation.

It was agreed that the Waste to Energy Project be a standing item on future Environment Strategic Policy Committee meetings Agendas and the reports should be compiled under the following headings.

- **Construction Status**
- **Environmental Impacts**
- **Community Liaison**
 - (i) Project Engagement
 - (ii) Community Gain Fund
- **Planning Compliance**

The members expressed concern that the SPC was not represented on the on the Community Gain Fund committee but the Chairperson agreed that the proposed composition is appropriate as the South East Area Committee is part of the Membership

5. Motion referred from North West Area Committee.

“That this Committee is opposed to the removal of public bins by DCC staff as a solution to illegal dumping crisis in the Northwest area.”

Agreed.

6. A.O.B

None.

Attendance

Members

Councillor Naoise Ó Muirí (Chairperson).
Councillor Catherine Ardagh.
Councillor Claire Byrne.
Councillor Denise Mitchell.
Councillor Ciaran O’Moore.
Councillor Michael O’Brien.
Councillor Mannix Flynn.
Councillor Bríd Smith
Sinead O’Brien - Environmental Pillar.
Robert Moss - Dublin City Community Forum.
Joe McCarthy - An Taisce.

Absent

Councillor Declan Flanagan.
Councillor Andrew Keegan.
Louise McCann - Disability Federation of Ireland.
Nicholas Cloake – Docklands Business Forum.

Officials

Michael Phillips, City Engineer and Director of Traffic.
Declan Wallace, Executive Manager.
Brian Hanney, Senior Executive Officer.
Helen McNamara, Senior Executive Officer.
Hugh Coughlan, Administrative Officer.
John Tuohy, Administrative Officer.
James Nolan, Executive Engineer.
Bernie Lillis, Litter Prevention Officer.
Ciarán McGoldrick, Staff Officer.
Owen Sweeney, Staff Officer.
Ian Boggans, Assistant Staff Officer

Councillor Naoise Ó Muirí

Chairperson

26th February 2015.



Page 3

Presentation on the Review of the Litter Management Plan (LMP) by Brian Hanney SEO

Review of the Litter Management Plan

- S10 of the Litter Pollution Act 1997 as amended requires Local Authorities to make and implement a Litter Management Plan and to take all practical measures for the prevention of litter in its functional area.
- Litter is defined in the Litter Pollution Act and basically means any item or material which is disposed of improperly (not disposed of in a litter bin or authorised waste facility).
- Dublin City Council recognises how important the issue of litter management and street cleaning is for residents and the business community as well as visitors to the City. The last Litter Management Plan (LMP) in Dublin City was the Litter Management Plan 2008 -2011
- Previous Litter Management Plan was published by Dublin City Council in July 2001.

Review of the Litter Management Plan 2008 -2011

The Litter Management Plan 2008 – 2011 defined 5 key priority areas as follows :-

- **LITTER PREVENTION, EDUCATION AND AWARENESS**
- **RESPONSIBILITY AND PARTNERSHIP**
- **ACTIONING LITTER REPORTS**
- **GRAFITTI**
- **ENFORCEMENT**

Street Cleaning categories within the LMP 2008 - 2011

Every street within the DCC area was assigned to a specific zoning category in accordance with the Litter Management Plan : -

Category	Area Description	Sweeping Frequency (MINIMUM)
Cat A	<i>Main City Centre Streets, High Footfall Areas e.g. Grafton St., Henry St. and O'Connell St.</i>	<i>Daily +</i>
Cat B	<i>High Footfall: Other City Centre Streets, Suburban Villages, Neighbourhood Shopping Areas e.g. Cork St. and Orwell Road</i>	<i>Daily</i>
Cat B (1)	<i>Medium Footfall: DART and LUAS approach roads, Major Thoroughfares e.g. Cashel Road and Griffith Avenue</i>	<i>Weekly</i>
Cat C	<i>Residential/Industrial Areas e.g. Killala Road</i>	<i>Quarterly</i>

- Category A and B streets are a priority.
- Autumn and Winter schedule: Street sweeping resources may be redeployed from Category C in case of snow, ice and leaf fall.

Review of the Litter Management Plan

A Litter Management Plan remains in operation for a three year-period.

The key objectives are as follows:

- The Plan will comply with the requirements of the Litter Pollution Act, as amended.
- The process will provide for an appropriate level of consultation in line with the legislative requirements.
- The Plan will focus on litter management by various stakeholders i.e. the City Council, individuals, communities and businesses.
- The DCC Litter Management Plan (LMP) Team will play an active role in sourcing and compilation of litter related data and stakeholder feedback

Key changes since the Litter Management Plan 2008 - 2011

- Dublin City Council's exit from the Waste Collection business in January 2012.
- New by-laws namely Dublin City Council's (Storage, Presentation and Collection of Household and Commercial Waste) Bye-Laws 2013.
- The total number of operational staff in the Waste Management Division has reduced from 741 in 2008 to 458 at the end of 2014.
- 101 bottle bank locations/two Civic Amenity Sites (Ringsend and North Strand) and 7 Community Bring Centres.
- We have re-aligned our Cleansing Services across the City in conjunction with the new electoral areas.
- Adopt the Street initiative/ North Inner City Litter Action Group (NICLAG).
- The new LMP should link to the Waste Management Division's Operational Review which is currently underway.
- New Council in place.

Review of Litter Management Plan – Project Tasks

Task 1 Data Collection Exercise

- Today we are notifying the SPC of our intention to prepare a replacement Litter Management Plan.
- The LMP Team will prepare a bullet list of litter management issues to be addressed in the new LMP, including a review of previous actions. The listing will take cognisance of the statutory requirements for the LMP.

Task 2 : Public Consultation

The requirements for public notification of a new LMP are such that notification should be made when a new DRAFT plan is available and inviting written submissions on the draft plan

- In advance, DCC will shortly advertise it's intention to commence the process of preparing a new Plan and invite general comments to be considered in the drafting process. This is an additional non-statutory consultation phase.
- After the non-statutory consultation phase, the LMP team will prepare a draft LMP.

Review of Litter Management Plan – Project Tasks

Task 3 Drafting the Plan :-

- A working draft document Plan will be prepared with due regard for legislative requirements and the project objectives outlined above and taking on board any submissions made.

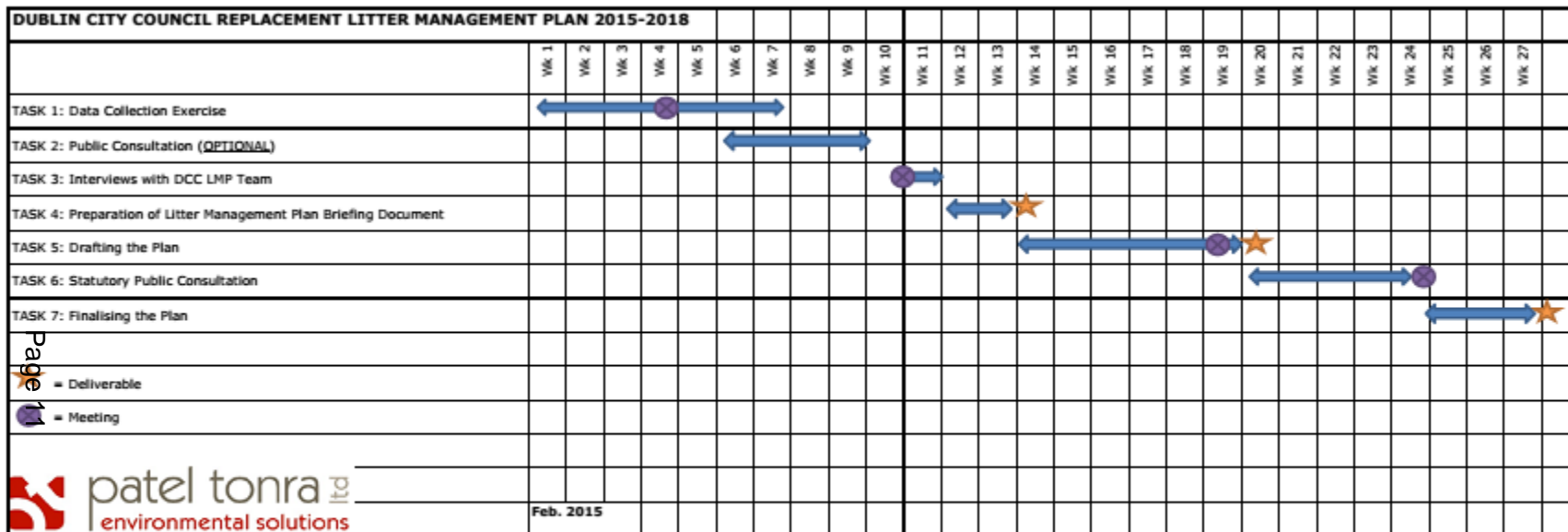
Task 4 Statutory Public Consultation :-

- The requirements for public notification of a new LMP are such that notification should be made when a new DRAFT PLAN is available and Dublin City Council will invite written submissions in relation to the proposed plan. Newspaper and broadcasting announcements will be undertaken.

Task 5 Finalising the Plan :-

- The LMP Team will be responsible for submitting the final document to the SPC/Council for approval and adoption.

Review of Litter Management Plan – Project Tasks



Summary of key current issues

- Street Cleaning
- Dumping
- Litter Bins
- Dog fouling
- Graffiti



Comhshaol, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government

11 February, 2015

To each local authority – Director of Services, Environment
Copied to: Each local authority – Director of Services, Planning

Circular Letter Ref: WP 01/15

Re: Introduction of new household waste legislation

A Chara,

As previously signalled, the Department intends to introduce a new legislative framework in 2015 to reform the regulation of the collection of household waste in line with the commitments contained in *A Resource Opportunity*¹. This circular is intended to set out the foremost provisions of the new legislation and to clarify the timing of the introduction of same.

Kerbside Household Waste Collector obligations

The Department intends to introduce measures to require collectors to have a customer charter in place and to meet certain minimum standards of customer service, such as specified frequencies of collection. It is intended to set out in law what the minimum content of these customer charters will be, to ensure that standards of service are high and are consistent nationally. As signalled previously, it will also become a statutory requirement for all collectors of household waste to have pay-by-weight systems in place and to record the weight of waste each time a bin is lifted as a condition of their permit. This requirement will apply to all collectors as of **1 July 2015**.

The requirement for collectors of household waste to **charge** on a by-weight basis will not apply until **July 2016** (although there will be nothing to stop collectors moving to weight based charges earlier than July 2016). This transitional phase is intended to provide an appropriate lead-in time for households to become familiar with the new system and encourage improved behaviours in terms of the prevention and segregation of waste in

¹ <http://www.environ.ie/en/Publications/Environment/Waste/WasteManagement/FileDownload,30729,en.pdf>

advance of the introduction of weight based charges. During this adjustment period households should be provided with the weight of each bin for each collection in order to encourage waste prevention and segregation and to allow them calculate the likely pay by weight charges after such fees have been announced by their service provider. The Department will be in further communication with the waste industry on this aspect.

In summary, the following mandatory conditions will apply to collectors of kerbside household waste:

Pay by weight

July 2015: Collector must have type approved² weighing mechanisms in place, weigh all waste streams collected, and if the collector has not already moved to the new weight based charging system, indicate to the customer the weight of each bin for each collection. As set out below, contravention of this condition, particularly in relation to having an approved weighing mechanism in place, could result in a collector having their vehicle detained or being served with an injunction under the Waste Management Act 1996 by the relevant local authority.

July 2016: Charge only on a pay-by-weight basis, however, the charging of a service fee will also be permitted (i.e. it will no longer be permissible to charge on a pay per throw / pay per tag / pay per lift basis);

The pay-by-weight per kilo fee for residual, recycle and food waste must meet the minimum fees set by the Department for the three waste streams to cover the cost of managing the waste from the first point of delivery to an authorised facility to (and including) its final treatment.

Verify customer details to enforcement authorities when requested

July 2016: The obligation to provide an authorised officer details which confirm a householder is using their service will be introduced in July, 2016 in line with the introduction of (i) the obligation on householders to demonstrate they are managing their waste and (ii) the fixed payment notice for householders who cannot demonstrate same.

² All waste weighing systems placed on the market must be covered by either a National Type Approval or EC Type Approval granted prior to the coming into force of the Measuring Instruments Directive (2004/22/EC) in 2006. All instruments placed on the market post 2006 must be approved under the Measuring Instruments Directive. The NSAI has agreed to provide training on this issue; however, demonstrating compliance with this requirement will be part of obtaining a permit under the new legislation.

Provide minimum service levels

July 2015: Collectors will be required to collect the three household waste streams in line with the European Union (Household Food Waste and Bio-waste) Regulations 2013 at specified frequencies and accept a minimum set of prescribed materials in the recycle bin.

Have customer charters in place;

July 2015: Collectors will be required to have customer charters in place, the content of which will be set out in legislation.

It is intended that the legislation provide that a breach of any of the above conditions will be considered “1 strike” breaches. This means that a collector who contravenes one of the above conditions will trigger an automatic review of their permit (with the possibility of the permit being amended to remove the authorisation to collect household waste or the permit being revoked). As set out above, breaches of the above could also result in a collector having their vehicle detained or being served with an injunction under the Waste Management Act 1996 by the relevant local authority.

General provisions for collectors of waste

It is the intention to introduce other provisions which will apply to all waste collection permit holders from July 2015, including fixed payment notices for specified offences, the “3 strike” approach to specified offences whereby an automatic review of a permit is triggered, provision for new national collection permits which specify different categories of waste collector, provision for a new application / review process of permits and the introduction of new fees for waste collection permit applications / reviews.

It is also the intention that all existing household waste collection permits will be reviewed in advance of 1 July 2015 and only collectors in possession of permits issued under the new legislation will be authorised to collect household waste after that date. Local authorities will play the key role in this regard. Enforcement officers will be expected to use all powers available to them under the Waste Management Act, 1996 including powers to halt, board or detain vehicles in accordance with section 14 of the Act or to seek orders in accordance with section 57 or 58 of the Act, to ensure that non-compliant collectors are prohibited from collecting household waste. The Department is extremely concerned that certain operators may flout the pay by weight requirement on 1 July, 2015. In this regard, the Department is currently considering how it can best incentivise the enforcement of this condition, including through target or performance based enforcement funding

PTU obligations

All of the above mandatory Kerbside Household Waste Collector conditions will apply simultaneously to Pay-to-use compactors (PTUs) which accept waste directly from householders, but will be provided for separately through amendments to Waste Management (Facility Permit and Registration) Regulations 2007 (S.I. 821 of 2007). So, for example, in July 2015, all PTUs must have type approved weighing mechanisms and a customer charter in place, provide for and weigh all 3 waste streams accepted in line with the European Union (Household Food Waste and Bio-waste) Regulations 2013, and if the PTU has not already moved to the new weight based charging system, indicate to the customer the weight for each deposit of waste (and by individual waste stream). Similarly, Kerbside Household Waste Collector conditions in relation to verifying customers, charging on a pay by weight basis and charging a minimum fee as prescribed, will apply to PTUs from July 2016.

Householder obligations

July 2016: As indicated above, the obligation on householders to demonstrate they are managing their waste and the introduction of fixed payment notices for householders who cannot demonstrate same, will be introduced in July, 2016.

Obligations on Civic Amenity Sites, Transfer Stations and Landfills

Civic amenity sites, transfer stations and landfills or other authorised sites **which do not** accept **residual** kerbside³ household waste directly from householders will be unaffected by the regulatory change.

July 2015: Civic amenity sites, transfer stations and landfills which accept **residual** kerbside household waste directly from householders will be required to have customer charters in place, the minimum content of which will be set out in legislation.

July 2016: Civic amenity sites, transfer stations and landfills which accept **residual** kerbside household waste directly from householders will be required to meet the July 2016 conditions imposed on kerbside household waste collectors as follows:

- Charge on a pay-by-weight basis for residual waste, it will no longer be permissible to charge on a pay per throw / pay per tag, flat fee or volume basis;

³ Household waste suitable for collection as part of a routine kerbside collection, i.e. not including household bulky waste, household C&D waste, household hazardous waste etc.

- The pay-by-weight per kilo fee for disposing of residual waste must meet the minimum fee set by the Department for this waste stream to cover the cost of managing the residual waste from the first point of delivery to an authorised facility to (and including) its final treatment.
- For local authority enforcement purposes, be in a position to confirm a householder is using their service in line with the introduction of (i) the obligation on householders to demonstrate they are managing their waste and (ii) the fixed payment notice for householders who cannot demonstrate same.

In summary, only civic amenity sites, transfer stations and landfills which accept residual kerbside household waste directly from householders will be affected. Such facilities will be obliged to have customer charters in place by July, 2015. These facilities will not be required to provide a service to accept all three waste streams of kerbside household waste but will be required to charge on a pay-by-weight basis for residual household waste accepted directly from householders from July, 2016, charge a minimum fee for this service as prescribed and be able to verify which households are using this service.

Next Steps

The Department is holding a workshop for local authority officers nominated from each functional area on 24 February, 2015 to outline the provisions of the new legislation and to develop an enforcement implementation plan. The Department is also planning to run a number of further seminars in the coming weeks and months, aimed at both local authorities and the waste industry, to ensure the seamless and consistent introduction of the new provisions across different service providers and across regions.

Yours faithfully,



Eoin Deegan,
Waste Policy & Resource Efficiency,
Department of the Environment, Community and Local Government

This page is intentionally left blank



Comhairle Cathrach
Bhaile Átha Cliath
Dublin City Council

Report to SPC on management response to Capita Report 'Project Governance Review in Respect of the DWtE Proposed Facility'



25 February 2015

Introduction

In July 2013, Capita Consulting was appointed by Dublin City Council to carry out a project governance review in respect of the Dublin Waste to Energy (WTE) proposed facility.

Capita Consulting published its final report in February 2014, the report included as Appendix 1, sixteen (16) recommendations and the associated senior management response.

At its meeting of 26 November 2014, the Environment Strategic Policy Committee requested that a report be issued to set out the Management response to the recommendations and the current status of each recommendation (see section 2 below).

Management response and current status of recommendations within Capita Report 'Project Governance review in respect of the DWtE proposed facility'

Overview

Management accepted all recommendation within the Capita Report and set out the timelines for their implementation in January 2014, the management response and current status is set out under each recommendation below.

Recommendation 1

The Council should establish and document an overall budget for the remainder of this stage of the WTE project's development. The budget should be based on information currently available and may change as new information comes to light on estimated costs.

The Dublin Waste to Energy (DWtE) Project Board (PB), at its meeting in February 2014, adopted a budget of €620,000 for the period 1 February 2014 to 1 July 2014. At the PB meeting in August 2014 the board approved a budget of €125,000 for the period 1 July to September 2014.

Recommendation 2

In presenting budgeted and actual expenditure for the project, the Council's financial reports should include both the original budget set at the start of the year and the revised budget after the impact of any approved Change Orders.

As set out in the management response within appendix 1, table of recommendations, to Capita Report 'Project Governance review in respect of the DWtE proposed facility' – 'with the termination of the CR [Client Representative] contract from 31 January 2014, the issue of change Orders associated with the CR contract will not arise'.

Recommendation 3

The respective roles of the PAB and City Manager in relation to project direction should be clarified and documented, with the PAB's Terms of Reference updated if required.

The Terms of Reference for both the Project Board (referred to as the Project Advisory Board in the Capita report) and Project Executive Board was reviewed and approved by the Project Board at its meeting in February 2014.

The membership of the Project Board and the Project Executive Board (PEB) were re-constituted, as follows:

Project Board

Chief Executive, Dublin City Council (Chair)

Chief Executive, South Dublin County Council

Chief Executive, Fingal County Council

Chief Executive, Dun Laoghaire Rathdown County Council

Head of Finance & IT, Dublin City Council

Chair of Project Executive Board DWTE Project

Representatives of the DOECLG

Representative of NDFA

Project Executive Board

City Engineer & Director of Traffic Dublin City Council (Chair)

Project Engineer DWtE Project

Assistant Project Engineer, DWtE Project

Executive Manager/Head of Management Accounting Dublin City Council

Head of Project Support Office, Dublin City Council

Senior Executive Officer, Environment and Transport Department,

Director of Service, South Dublin County Council,

Director of Service, Fingal County Council,

Director of Service, Dun Laoghaire Rathdown County Council

Recommendation 4

The Council should amend the composition of the PAB so that it does not contain Council officers with executive responsibility for delivering the proposed WTE project. In particular, the Assistant City Manager should not act as Chair of both the PAB and PEB

See response to Recommendation 3 above.

Recommendation 5

The Council should appoint suitable senior members of its Finance team to the PAB and PEB.

See response to Recommendation 3 above.

Recommendation 6

The WTE project should be included as a standing agenda item for meetings of the EESPC, at least until the proposed development is completed and operational. The Assistant City Manager should provide Committee members with a concise but sufficiently detailed update on the progress of the project for consideration at EESPC meetings.

At its meeting of 26 November 2014, the chair of the Environment Strategic Policy Committee highlighted the recommendation to the committee for discussion and clarification on the content of any update that should be issued.

Recommendation 7

The EESPC should prepare short, periodic reports on the progress of the WTE project for consideration and comment by the full Council.

See response to Recommendation 6 above.

Recommendation 8

The Assistant City Manager should, in future, report significant project issues and exceptions to the PAB on a timely basis.

Planning for the DWtE project is handled directly by the Project Board, with the board setting targets and objective for the PEB at its meeting.

The Project Executive Board meets on a monthly basis and the Chair of the PEB reports significant project issues and exceptions to the Project Board on a timely basis.

Recommendation 9

The PEB should prepare a detailed project plan covering the remainder of the proposed WTE development for consideration and approval by the PAB.

Future planning for the DWtE project is handled directly by the Project Board, with the board setting targets and objective for the PEB at its meeting.

Recommendation 10

The PEB should collate a Business Case for the remainder of the proposed WTE development, building on the information already produced for consideration and approval by the PAB. The Business Case should address the following factors:

Reasons for undertaking the project and fit with corporate strategies and objectives

Options for delivery of project solution

Expected project costs and benefits and investments appraisal

Key risks, analysis of impact and mitigation strategies

Timescale for project deliver and period over which benefits will be delivered.

The Project Board reviewed and approved the complete business case for proceeding with the Project at its meeting in August 2014. A synopsis of the business case was also presented to the Elected Members of all four Dublin Local Authorities on the 08 September 2014.

Recommendation 11

The PAB should establish clear criteria for the PEB to follow in reporting the status of the WTE project and in identifying risks and issues for escalation to higher levels of the Council.

The PB set out clear guidelines to the PEB in its meeting in February 2014.

Recommendation 12

The PAB should develop a strategy for communicating with key project stakeholders, both inside and outside the Council. This could potentially include facilitating external stakeholder representation on the PAB.

The PEB is in the process of finalising a communication strategy for the project.

Recommendation 13

The Council should ensure that its Project Risk Register is fully populated with information required on risk maturity, severity and ownership, as well as details of existing and proposed controls aimed at managing risks identified.

The PEB update the project risk register, which was reviewed and approved by the PB at its meeting in May 2014.

Recommendation 14

Where practicable, the Council should ensure that its Project Risk Register reflects both inherent risk (before the application of controls) and residual risk (after the application of control measures).

The updated risk register reflect the above recommendation.

Recommendation 15

The Council should ensure that the Corporate and Divisional Risk Registers reflect any risk dependencies applicable to the WTE project.

The Corporate Risk Register is being reviewed and the 2015 version will be in a new format. This is currently being progressed through Dublin City Council

Recommendation 16

The Council should ensure that its Corporate Risk Register includes timescales and responsibilities for implementing planned risk management measures.

The Corporate Risk Register is being reviewed and the 2015 version will be in a new format. This is currently being progressed through Dublin City Council

This page is intentionally left blank

1. Motion referred from the North West Area Committee

“That this Committee is opposed to the removal of public bins by DCC staff as a solution to illegal dumping crisis in the Northwest area.”

Item No. 20

Motion in the name of Councillor David Costello

That this Committee is opposed to the removal of public bins by DCC staff as a solution to illegal dumping crisis in the Northwest area.

Report

Waste Management Services carried out a review of the usage of our litter bins citywide in 2011. As a result of this review we removed some litter bins, mainly from residential estates, as they were being used to dispose of domestic waste and had in fact become focal points for dumping. They were adding to the litter problem in these estates. The bins which were most abused were removed at that time. We continue to monitor usage of our litter bins and in extreme cases would have to remove a litter bin. Local councilors are now informed of any proposal to remove a litter bin and the reason for such a proposal.

Dave Dinnigan
Area Manager

Updated Report from Waste Management

Waste Management Division carried out a survey of the number of litter bins in 2013 and this revealed that there were approximately 3,400 bins across the City. We also agreed a protocol with the SPC at that time that where it was proposed to remove any bin that 7 days notice would be given in advance to the local Councillors to submit their observations prior to any such a bin being removed. Our figures reveal that a total of approximately 40 bins were removed in the North West Area of the City since 2011. Bins are only removed in extreme cases as a last resort and it is not correct to say that the removal of bins is seen as a solution to the complex issue of dumping. Over the last number of years we had very little funding to spend on new litter bins however we have an increased provision this year of € 50,000 and work has commenced on preparing to invite tenders for these bins.

Brian Hanney
Waste Management Division

This page is intentionally left blank