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## **Proposed Public Consultation for the Draft Dublin City Council Skip Bye-Laws, 2024**

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### **Introduction**

Dublin City Council have operated the current Skip Bye-Laws since 1999 and a review is now required to update this legislation as follows:

- 1) Revoke the Skip Bye-Laws 1999.
- 2) Update of the term “Right Honourable The Lord Mayor, Alderman and Burgesses of Dublin”
- 3) New definition for a Skip Hirer.
- 4) New definition for a Skip.
- 5) Update of Part II Prohibitions, Restrictions and Conditions relating to the Siting of Skips on Public Roads.
- 6) Update of Public Liability Indemnity.
- 7) Update for Parking Charges.
- 8) Update of Part IV of the Bye-Laws relating to “Offences and Miscellaneous”.
- 9) Increase in annual fees for Skip Operator Licences.
- 10) Use of gender neutral language where required.
- 11) Update reference to “County Borough of Dublin.
- 12) Update Skip Operator contact details

#### **1. Revoke Skip Bye-Laws 1999**

The existing Skip Bye-Laws 1999 will be revoked.

#### **2. Update of the term “Right Honourable The Lord Mayor, Alderman and Burgesses of Dublin”**

Any reference to the “Right Honourable The Lord Mayor, Alderman and Burgesses of Dublin” shall be replaced with “Dublin City Council”.

#### **3. New definition for a Skip Hirer**

In an effort to provide further clarification to the different required definitions, it is proposed to update section 3 Definitions in Part 1 Preliminary from “Hirer” to “Skip Hirer” as someone who arranges to hire a skip from a skip operator for the purpose of removal of waste material etc.

#### **4. New definition of a Skip**

Under the original Bye-Laws the definition of a skip was described as container used for the storage or removal of builders' material, rubble, waste, rubbish or any other materials and which is designed to be transported by means of a mechanically propelled vehicle (as defined in the act of 1961). It is proposed to update this description to "**Metal**" container and specify that Skip Bags sold in certain retail outlets cannot be stored in the public domain and will not be covered under the Council's Skip Permit scheme.

#### **5. Update of Part II Prohibitions, Restrictions and Conditions relating to the Siting of Skips on Public Roads**

Part II Prohibitions, Restrictions and Conditions relating to the Siting of Skips on Public Roads will be reviewed in line with Chapter 7 of the Department of Transport, Tourism and Sport's Traffic Signs Manual.

#### **6. Update of Public Liability Indemnity**

Replace the reference to "the limit of indemnity shall be at least €2m for any one accident" to "the limit of indemnity shall be the sum recommended by Insurers for any one accident". Also, the reference to "indemnifying himself" shall be updated to "indemnifying themselves".

#### **7. Update for Parking Charges**

Replace references to the Dublin City Council Parking Control (No.2) Bye-Laws 1998 with the "current Dublin City Council Parking Control Bye-Laws" and replace the fee of €20 per day with "current daily road space fees".

#### **8. Update of Part IV of the Bye-Laws relating to "Offences and Miscellaneous**

Under Part IV section 29 Infringements of Bye-Laws, it outlines that a person found guilty of an offence under these Bye-Laws shall be liable on summary conviction to a fine not exceeding £1,000 or, at the discretion of the court, to imprisonment for a term not exceeding six months, or to both such fine and imprisonment. This will be replaced with "on summary conviction to a fine not exceeding €5,000" as stipulated in s.81 of the Roads Act 1993 which also no longer makes any reference to the term "imprisonment".

#### **9. Increase in annual fees for Skip Operators Licences.**

Under Part III section 23 the Bye-Laws outline that: A licence may be granted to a skip operator subject to the payment to Dublin City Council of the appropriate annual fee as follows:

No. of Skips*	Annual Fee
1 - 100	€634
101 - 500	€952
Over 500	€1,269

\*No. of skips available for hire in Dublin City Council area.

It is now proposed to increase these fees in line with inflationary increases as follows:

No. of Skips*	Annual Fee
1 - 100	€1,000
101 - 500	€1,500
Over 500	€2,000

\*No. of skips available for hire in Dublin City Council area.

10. **Use of gender neutral language where required.**

Reference to “his/her” shall be updated to “their”, “he/she” to “they” and “himself” to “themselves”.

11. **Update reference to “County Borough of Dublin “**

Reference to the “County Borough of Dublin”, shall be updated to the “administrative area of Dublin City Council”.

12. **Update Skip Operator contact details**

Skip Operator contact details shall be updated, remove the need for fax numbers and replace with a request for email addresses.

**Recommendation:**

Following consideration of the report, the Traffic and Transport Strategic Policy Committee recommended to refer the Draft Dublin City Council Skip Bye-Laws, 2024 to the full City Council for approval to initiate the public consultation process.

**Resolution:**

That Dublin City Council approves the initiation of the consultation process in relation to formulating Bye Laws for Dublin City Council Skip Bye-Laws as outlined in Report 67/2024.

**Noeleen Reilly**

**Chairperson**

**21<sup>st</sup> February 2024**