

Irish Waste Management Conference 2015 ***“Future Directions in Waste Enforcement”***



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



Good news - C494 is no more

- April 2005 ECJ Ruling that Ireland “generally and persistently failing to fulfil its obligation to fulfill various articles under Waste Framework Directive”
- Agreed Road map of deliverables to achieve compliance with the judgment.
- Included:
 - Policy: Ministerial Directives, recognition of enforcement as a core function, WERLAs;
 - Structural - establishment of OEE, NTFSO, RMCEI, dedicated enforcement staffing, NIECE;
 - Financial / remedial – specific sites, multiple LA areas - approx €120m by end 2016.
- Commission closed the case on 22 October.
- Testament to the efforts of Industry and the LG sector to address reputational damage to Ireland



Background

- Effective enforcement of waste legislation is vital for the credibility of our systems of waste management.
- **2012** - National Waste Management Policy¹ commitment to review regulatory and enforcement roles of the Environment Protection Agency (EPA) and local authorities.
- **2013** – Review Group established, identified the strengths and weaknesses.

¹ *A Resource Opportunity, Waste Management Policy in Ireland published by the DECLG in 2012*



Waste Enforcement Regional Lead Authorities

- Review Group recommended the establishment of 3 new regional lead authorities to drive improved performance and greater consistency in waste enforcement.
- 2015 – Following an open and highly competitive bidding process the following were selected as the new Waste Enforcement Regional Lead Authorities (WERLAs):
 - Cork County Council – **Southern Region**
 - Dublin City Council – **Eastern & Midlands Region**
 - Leitrim and Donegal County Councils (in a combined bid) – **Connacht & Ulster Region.**



WERLAs – Who, What, Where, Why & How?

- Each WERLA will have responsibility for coordinating waste enforcement actions within regions, setting priorities and common objectives for waste enforcement, ensuring consistent enforcement of waste legislation across the three existing waste management planning regions while still leaving local authority personnel as first responders on the ground to specific breaches of waste legislation.
- This structure will complement the existing regional waste management planning group structure and the cooperative multi-agency approach of the NIECE network.
- The establishment of the WERLAs will also facilitate more streamlining of the tasks currently undertaken in the waste enforcement area.
- ***No enforcement powers are being taken away*** or transferred from local authorities to the WERLAs and the current waste enforcement network will be maintained.
- Local Authorities will continue to receive the same level of enforcement grant subvention as heretofore with the additional costs of establishing and staffing the three regional enforcement offices being also met by the Department.



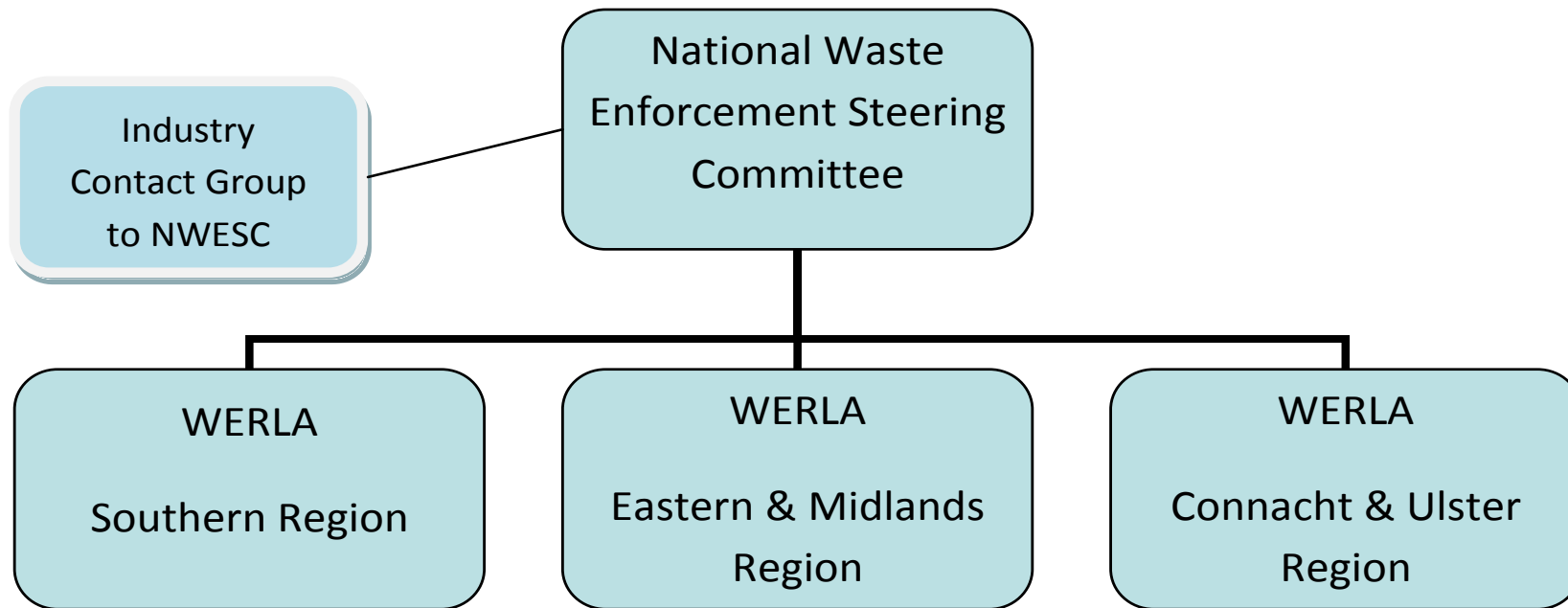
Timeline of Establishment

- The structures are to be put in place for an initial period of five years with a review as to its effectiveness carried out after year two.
- Selection of WERLAs announced 9th October 2015.
- Each of the WERLAs are working towards becoming operational as soon as possible.
- Inaugural meeting of the National Waste Enforcement Steering Committee (NWESC) took place on 24th November 2015.



Structure

- The work of the WERLAs will be overseen by a National Steering Committee which will be chaired by the Department of the Environment, Community and Local Government.



National Waste Enforcement Steering Committee

Representatives include:



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Environmental Protection Agency



Cumann Lucht Bainistíochta Contae agus Cathrach
County and City Management Association



Revenue
Cáin agus Custaim na hÉireann
Irish Tax and Customs



An Roinn Coimíre Sóisialaí
Department of Social Protection
Helping you build a better life



NATIONAL OFFICE
TFS
OIFIG NAISIÚNTA



NWCP
National Waste Collection Permit Office



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- The NWESC will determine national waste enforcement priorities for the WERLAs and drive consistency at a central level.
- The Committee is being drawn from representatives from a wide range of regulatory authorities in order to provide strategic support to the WERLAs to deal with:
 - Strategic national waste enforcement issues;
 - Serious criminal offenders such as cross border issues or major illegal dumping in the state;
 - Intelligence led and co-ordinated multi-agency enforcement;
 - Securing targeted, timely and effective enforcement outcomes.
- The NWESC will coordinate and support the work of the lead authorities while providing a focus on organised criminal activity in the waste area



Industry Contact Group

- To provide other stakeholders in the waste sector with the opportunity to input into this enhanced waste enforcement structure and Industry Contact Group (ICG) is being established.
- The ICG will comprise of representatives from the waste industry, the producer responsibility schemes, the WERLAs, the EPA and the Department and will be chaired by the Irish Waste Management Association.
- Meetings of this group will be based around meetings of the National Steering Committee offering a direct channel to the Committee itself.



National Waste Priorities 2016

- Agreed National Waste Priorities for 2016:
 1. Roll-out of Brown Bin
 2. Roll-out of Pay By Weight
 3. PRI for tyres
 4. Illegal Dumping
 5. Fuel Laundering



Performance Management & Data Capture

- 2-3 year lead in before improved performance can be measured.
- Data capture and reporting facts – collected at Local Authority level and channelled through the WERLAs.
- Window exists now to get crude metrics in place – EPA RMCEI Plan spread sheet can take account of changes.
- Metrics must be weighted to reflect national priorities.



Other Measures Of Success?

- Focus on outcomes.
- Consistency .
- Proportionality – from compliance assistance to prosecution.
- Not just a waste problem, can't expect waste enforcement staff to do it all.
- Interagency relationships established at National, Regional and local levels.
- Interagency enforcement as standard procedure for serious offenders.



Coordinated Approach In Action

- Pay By Weight Implementation

Ahead of the introduction of the new framework in July 2015, the Department developed an implementation plan for use by all LA's in order to;

- Raise awareness system with household waste collectors
- Ensure consistency of approach across all LA's
- Co-ordinate the efforts of Enforcement Officers across LA's

Initial Information Gathering Awareness Visit – April 2015

According to the replies received from 88 announced visits by Enforcement Officers from 25 LA's. (100% response)

- 57% aware of the new regulatory regime and will be in compliance by 1 July 2015.
- 38% aware of the new regulatory regime but may not be in compliance by 1 July 2015.
- 5% of collectors will not be in compliance by 1 July 2015

Training Workshop – June 2015

- Full day training & workshops for LA Enforcement Officers in Limerick on 24/06/2015.
- Presentations by AMCS (Vehicle technology) and NSAI (Weighing mechanism).
- Provided with Inspection books and an implementation plan for the next phase.



Coordinated Approach In Action

- Pay By Weight Implementation

Initial Inspections – Vehicle Weighing Mechanisms – July 2015

To ensure compliance with the legislation initial inspections concentrated on ensuring that weighing mechanisms were in place and working on all waste collection trucks that are collecting household waste from reusable receptacles. Enforcement Officers covered not only those operators with a head office in their area but all collectors operating in their area.

Vehicle Inspection Conclusion – 149 Vehicles inspected

- 67% of collectors were compliant – No further action required
- 31% of collectors were non-compliant – warning issued
- 2% of collectors were non-compliant – Section 14 Direction

Vehicle Management System (VMS) – October 2015

Enforcement Tool - the NWCPO will talk about this later.

Back Office System – Next Phase

Next phase of the implementation process will be progressed with the same level of commitment, focus and consistency as was evident this year. An inspection plan has been discussed and an outline plan agreed. The NWCPO, WERLA' s & DECLG will assist the LA Enforcement Teams to prioritise the roll out of the next phase.



Thanks

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