



DRAFT LITTER MANAGEMENT PLAN 2020-2024

Public Display period: 12th November 2019 to 24th December 2019

Available on SDCC Consultation Portal from 12th November 2019 to 7th January 2020

Final date for receipt of Submissions and observations is 7th January 2020

Background:

The Litter Management Plan is prepared as prescribed in Section 10 of the Litter Management Acts.

Section 11 sets out the requirements of a litter management plan

Section 12 sets out the procedure for making, amending or replacing a litter management plan.

Section 13 provides that the making, review, amendment or replacement of a litter management plan shall be a reserved function

The South Dublin County Council Litter Management Plan has been reviewed and this document comprises a Draft Litter Management Plan for consultation purposes in respect of the period 2020-2024.

The Draft Litter Management Plan 2020-2024 will be on display in County Hall, Tallaght, Civic Centre, Clondalkin and South Dublin Libraries during opening hours from Tuesday 12th November 2019 to Tuesday 24th December 2019, both dates inclusive.

The Draft Plan is available on South Dublin County Council's Consultation Portal from Tuesday 12th November 2019 to Tuesday 7th January 2020, both dates inclusive <https://consult.sdublincoco.ie/>

Submissions and observation in relation to the Draft Plan may be made on SDCC's Consultation Portal or in writing to the A/Senior Executive Officer, Environment Water & Climate Change, South Dublin County Council, County Hall, Tallaght, Dublin 24 info@sdublincoco.ie

The latest date for the receipt of submissions is Tuesday 7th January 2020.

DRAFT LITTER MANAGEMENT PLAN 2020-2024

Introduction

This Draft Litter Management Plan is for the period 2020 – 2024.

It is a statutory plan prepared as prescribed in Section 10 of the Litter Pollution Act 1997.

The plan proposes to address the negative impacts of litter on our county, improve the quality of life and sense of wellbeing of our residents, and enhance our commercial and tourism potential through effective and efficient

- enforcement of legislation and regulation
- management and maintenance of our public realm
- communication, education and awareness

Annual Implementation Plans shall have regard to the mission statement and objectives of the Corporate Plan 2020 – 2024. Plans shall also have regard to the proper planning and development of the county and the provisions of the County Development Plan.

For Your Information

What is litter?

Section 2 of the Litter Pollution Act 1997, as amended, (the Act) defines litter as:

.....a substance or object, whether or not intended as waste (other than waste within the meaning of the Waste Management Act, 1996, as amended, which is properly consigned for disposal) that, when deposited in a place other than a litter receptacle or other place lawfully designated for the deposit, is or is likely to become unsightly, deleterious, nauseous or unsanitary, whether by itself or with any other such substance or object, and regardless of its size or volume or the extent of the deposit;

In short, the definition of litter is broad and means that any item or material which is not disposed of properly, or is likely to become unsightly, is litter. This ranges from a coffee cup or cigarette end discarded on the street or thrown from a car window, to graffiti, disposal of household waste in public litter receptacles, unauthorised signage, dog fouling and the dumping of larger volumes of litter or waste.

The governing legislation

The following is an outline of the main legislation:

Environmental Protection Agency Acts 1992 and 2003
Waste Management Act 1996, as amended
Litter Pollution Act 1997, as amended
Air Pollution Act 1987
Local Government (Water Pollution) Act 1977
Local Government (Water Pollution) (Amendment) Act 1990
Protection of the Environment Act 2003
Household & Commercial Waste Byelaws
Parks & Open Spaces Byelaws

The following is intended as a practical guide to these laws.

The Litter Pollution Act 1997, as amended, provides for penalties for people who litter. It also sets out the responsibilities of Local Authorities and businesses under the Act.

Responsibilities: Who is Responsible for what?

General Public

Members of the public are required to take measures to prevent the creation of litter.

The general public are responsible for:

- keeping private property that is visible from a public place litter free (including graffiti)
- cleaning up after your dog in a public place and disposing of your dog's litter in a proper manner – remember *Any Bag, Any Public Bin*

- ensuring that waste of any kind is presented for collection in an appropriate waste receptacle and is given only to an authorised waste collector
- refraining from putting household waste in a public bin
- ensuring that litter of any kind is not dropped on the ground, including ensuring that no litter is thrown from a vehicle which is privately owned or on hire

Business Community

The owner or person responsible for a place to which the public has access is required to keep the area adjoining their premises litter free, regardless of how the litter got there. This places an obligation on businesspeople to:

- keep footpaths, pavements and gutters within a 100m radius of their premises litter free
- remove graffiti from their property
- not to erect posters or signage without prior authorisation
- not to place commercial waste in a public bin

Anyone transporting goods or materials on a vehicle or skip is obliged to ensure that the material being transported is secured to prevent the creation of litter.

Owners or persons in charge of mobile outlets are obliged to:

- provide an adequate number of litter receptacles
- ensure that all litter associated with the operation of the mobile outlet is removed within a 100m radius

Operators of mobile outlets are also required by South Dublin County Council to hold a valid Casual Trading Licence.

The organisers or promoters of major events are required to ensure that they have litter control measures in place at and in the vicinity of the venue before, during and after events. This applies to sporting events, social events, festivals and shows at which large crowds are expected to attend.

South Dublin County Council

South Dublin County Council is responsible for ensuring that

- Public roads
- Council Owned Green/Open Spaces
- Council managed Play spaces
- Community Gardens
- Rivers, streams flowing within Council property

are kept litter free, in so far as it is practically possible, and the prevention of the creation of litter through the following measures:

- Enforcement and Regulation
- Routine and non-routine inspections
- Public Realm operations programmes, including the collection and disposal of litter and the provision and maintenance of litter receptacles
- Delivery of Communication, Education & Awareness programmes
- Development of protocols for response to service requests
- Promotion of Customer Care Contact System and Fix Your Street as point of customer contact

Penalties for Littering

Dropping or leaving litter in a public place or in a place that is visible from a public place is an offence, which is subject to a fixed penalty notice of €150 or to a fine not exceeding €4000 through the Courts. A person convicted of a litter offence may also be required by the Court to pay the costs incurred by the Council in investigating the offence and in bringing the prosecution to Court.

Enforcement & Regulation

Background

South Dublin County Council is committed to improving the aesthetic appearance of our County, making it an attractive place in which to live and do business. The Council is committed to fully enforcing the provisions of the Litter Pollution Act 1997, as amended, the Waste Management Act 1996, as amended, and associated regulations to tackle individuals and/or businesses that are responsible for littering and illegal dumping.

Currently, the Council employs a team of 5 Anti Litter Wardens who patrol the County daily investigating incidences of littering and illegal dumping. All reports of litter and illegal dumping are recorded on the Environmental Complaints System, where they are tracked from original complaint through investigation to enforcement.

Fixed Penalty Notices are issued whenever adequate evidence is found or provided and direct prosecution is initiated when deemed appropriate. Those who fail or refuse to pay Fixed Penalty Notices are prosecuted through the Courts.

The Council employs 4 Waste Enforcement Officers who carry out various duties under the Waste Management Act, including enforcement of Household & Commercial Waste Bye Laws and the various Producers Responsibilities Initiatives. The enforcement of the Household & Commercial Waste Bye Laws is done to ensure all producers of waste, dispose of their waste in accordance with legislation and ensure the presentation of waste for collection does not result in litter.

Strategy

To continue a high level of enforcement in order to prevent and control litter (including illegal dumping)

Objectives

- To continue to heighten the visibility of the Warden Service
- To provide a targeted focus on known litter generators, particularly around time of known occurrences
- To investigate all complaints and enforce regulation and legislation as appropriate
- To continue to operate Customer Relations Management Systems
- To continually examine options for surveillance to reduce incidences of littering and dog fouling
- To continue to review policy on erection of Council signage
- To continue to provide and promote the Council's Litter Warden Hotline on 4149220 and the Environmental Protection Agency's anti-dumping hotline on 1850 365 121
- To use technology as a tool to combat littering and illegal dumping, in accordance with the CCTV and Environmental Technologies Protocol

Public Realm

Background

The Public Realm Section was established in 2013 following the merging of the Parks, Burial Grounds, Operations and Cleansing Sections. The works undertaken by the Public Realm Section includes all those individual tasks previously undertaken by the 4 sections listed above, for example, litter bin servicing, grass cutting, removal of illegal dumping, village cleansing, pitch maintenance etc.

In addition to the services provided by direct labour the Council has a road sweeping and associated services contract in place with Oxigen Environmental Ltd. Under this contract all roads, housing estates and industrial estates are provided with a road sweeping and litter picking service at a set frequency (monthly for main roads, quarterly for housing estates, twice yearly for industrial estates). The associated services provided under this contract are weed control (from April to September inclusive), gully cleaning and leaf removal during winter months.

Strategy

To deliver an integrated approach to achieving high quality maintenance and improvement of our public realm.

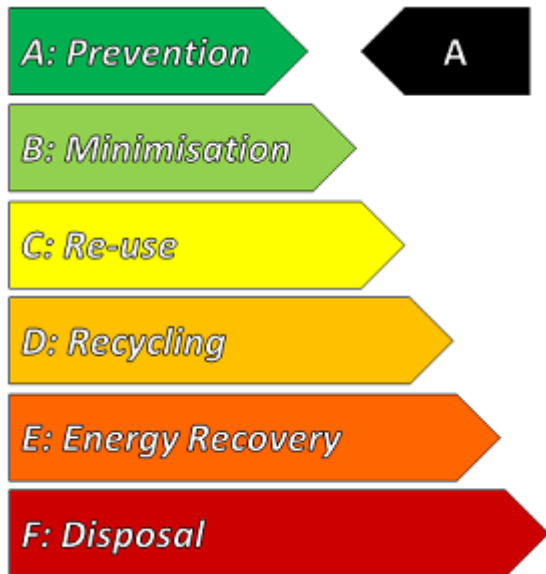
Objectives:

- To undertake street (town/village) cleaning programme including daily litter bin inspections and servicing as appropriate
- To provide litter picking in conjunction with grass cutting
- To ensure that all cleansing services are always adequately resourced
- To monitor and ensure that cleansing services are always provided to an acceptable standard
- To ensure a speedy response for the removal of graffiti on public property
- To ensure that areas subjected to on-going litter and dumping are cleaned on a weekly basis at a minimum
- To continue to expand the litter bin stock around the County as deemed to be necessary
- To continue to support the tidy towns and residents' group clean ups through the social credits scheme
- To ensure that Bring Banks are serviced and maintained to a high standard

Communication, Awareness and Education

Background

Communication, education and awareness are components through which residents of the County can become more conscious of the impact of littering, dumping and heedless activity on the environment in which we live. Residents must also understand the need to prioritise litter/ waste prevention as the most important action on the waste hierarchy.



Strategy

To promote the anti-litter and litter prevention message in South Dublin County.

Objectives

- To promote targeted anti-litter and litter prevention campaigns, including graffiti, dog and general litter
- To encourage and support active participation in Local, National and Regional litter prevention and awareness programmes
- To engage with, support and provide initiatives for young people that promote litter prevention including delivery of the Green Schools Programme
- To support community groups in litter prevention, litter awareness and community clean ups
- To create awareness amongst and support householders and businesses of the litter prevention message, and of their responsibilities and obligations
- To use social media, our website and all available publicity mediums to promote and report on the litter prevention programmes and campaigns to encourage engagement with our citizens
- To provide Environmental Awareness news items to ACM
- To provide support to new and existing Community links encouraging, Community involvement in maintaining a Clean County

Evaluation

It is required that we report on the operation of this plan indicating the measures which we are/ have taken in relation to the prevention and control of litter.

A comprehensive Implementation Plan will be developed for each year of the plan through which monitoring, and evaluation will be made and reported to Council on a biannual basis at Area Committee level.

The report to Council will include an assessment of:

- All litter prevention and control measures undertaken
- Extent of enforcement action taken
- Extent of promotion of public awareness, education and information measures
- Level of co-operation and assistance provided by the Council for the purpose of preventing and controlling litter

Appendix I

Consolidated Implementation/ Action Plan 2020-2024

Actions	Responsibility	statistics / details to provide
<p>Continue to operate the Customer Relations Management Systems (Members Reps, Fix Your Street (FYS), Customer Contact System, Environmental Complaints System) to track complaints/reports from initial contact to resolution</p>	<p>Enforcement & Licensing</p>	<p>Number of Customer contacts</p> <p>Number of FYS</p> <p>Number of Members Reps</p> <p>Number of litter cases closed</p>
<p>Maintain high profile targeted warden service with foot and drive by patrols as appropriate in towns, villages, cemeteries and allotments</p>	<p>Enforcement & Licensing</p>	<p>Number of patrols</p>
<p>Issue Fixed Penalty Notices for breaches of environmental legislation, regulation and byelaws, including littering, illegal dumping, dog fouling and unauthorised signage, where adequate evidence is available</p>	<p>Enforcement & Licensing</p>	<p>Number of FPNs (break down by category)</p>
<p>Initiate legal proceedings for non-payment of Fixed Penalty Notices, where appropriate</p>	<p>Enforcement & Licensing</p>	<p>Number of proceedings referred</p> <p>Number of cases heard</p> <p>Number successful</p>
<p>Use overt and covert CCTV cameras and other technologies including drones and audio devices to monitor areas prone to illegal dumping and to support enforcement action</p>	<p>Enforcement & Licensing</p>	<p>Number of systems deployed</p> <p>Number of Drone Flights</p>

Engage on a regional basis to develop solutions to tackle dumping in the Dublin region (Smart Dublin)	Enforcement & Licensing	Projects
Promote and support the PURE Initiative	Enforcement & Licensing	Number of PURE Miles in County Tonnage collected
Enforcement of Household & Commercial Waste Bye Laws, Backyard Burning and Hoarding of Waste	Waste Enforcement	Number of cases
Enforcement of Producer Responsibility Legislation (Tyres, Packaging, WEEE, Batteries)	Waste Enforcement	Number of Inspections Number of Enforcement Actions
Combat Illegal Household Waste/Junk Collections	Waste Enforcement	Number of Inspections Number of Enforcement Actions
Operation of village cleaning programme including weekend service (This will include road sweeping figures)	Public Realm	Tonnes collected
Planned and scheduled clean-ups of identified litter blackspots in the county	Public Realm	Number of clean ups
Servicing and maintenance of Bring Banks to ensure that they are litter free	Public Realm	Number of bring banks
Continually review litter bin provision in the Public Realm having regard to Litter Bin Placement Protocol	Public Realm	Number of bins
Review bin provision in villages and identify suitable bin type to be used.	Public Realm	Number of bins
Work with Sporting Clubs to ensure litter control measures are in place in accordance with the Allocation of Pitch / Sporting Facilities – Policy and Conditions document	Public Realm	Number of sports clubs involved

Use of internal systems to track and manage the removal graffiti from public property.	Public Realm	Number of reports
Targeted programme to remove bonfire material from public places in advance of Halloween	Public Realm	Number of reports Tonnes collected
Mapping of Halloween bonfires to identify trends and inform planned interventions	Public Realm	Number of bonfire sites identified
Clean up and removal of Halloween bonfire material in timely manner	Public Realm	Tonnes collected
Operate Laneway Maintenance programme at identified locations across the county and continue to seek solutions to issue	Public Realm	Number / length of laneways
Promote Anti-Litter & Anti-graffiti promotional/media awareness schedule (dog fouling, anti-litter, illegal dumping, anti-graffiti radio and cinema advertisement campaigns)	Communication & Awareness	Name campaigns ongoing on radio, in cinema, on till receipts etc
Provision of South Dublin Canvas pilot project	Communication & Awareness	Provide update on what stage Dublin Canvas project is at
Administer Anti-Litter and Anti-Graffiti Awareness Grant	Communication & Awareness	Provide update on where AL/AG grant is at? E.g. has it been advertised, has Submission deadline been reached have the successful project list been returned to DCCA, has grant been administered to successful applications etc.
Promote environmental school poster and slogan competition	Communication & Awareness	Provide update on where the competition is at? Has it been

		advertised, submission deadlines completed and awards ceremony with the mayor and winners
Promote the Green Dog Walkers initiative and responsible dog ownership	Communication & Awareness	Report activity around initiative e.g. has it been promoted out through social media are stands available for any groups to promote
Promote National Gum Litter Task Force	Communication & Awareness	Report on launch and photo call with Mayor usually in 2 nd quarter
Promote and support National Spring Clean	Communication & Awareness	Provide information on activity around campaign e.g. Taking & queries number of groups signed up already provide date of Photo call with mayor
Promote and support Tidy Towns Initiative	Communication & Awareness	Provide information on activity for tidy towns groups e.g. GDW and Conscious cups campaigns workshops available to them
Promote and provide support to Social Credit Scheme	Communication & Awareness	Provide information on activity SCS e.g. paint scheme, minor landscaping project and monthly figures of groups involved in clean-ups
Provide support and administer the Green Schools Programme	Communication & Awareness	Provide information on activity for e.g. newsletters,

		workshops provided, materials provided, seminar, competitions etc
Promote Seasonal Campaigns	Communication & Awareness	Provide information on seasonal campaign activity on monthly basis e.g. Halloween, Christmas, reuse month GDW month

CONSULTATION DRAFT

Appendix II: BONFIRE PROTOCOL

The Air Pollution Act, 1987, was introduced to counter air pollution in Ireland, particularly in urban areas by means of Special Control Area Orders. The burning of a range of materials in an urban area is prohibited in areas covered by a Special Control Areas and these would include the materials/ waste typically used for Halloween bonfires.

The main objective of Section 32 of the Waste Management Act 1996, as amended, is to prevent environmental pollution and the creation of nuisance emissions.

The Council's Byelaws for Parks and Open Spaces 2011, under Section 5.2. Consideration for other Parks users, state: *No person shall Make any bonfire, fire, barbecue, possess or light any firework save with the prior permission of the Council and subject to the terms and conditions of such permission.*

The Council's response to Halloween over the period of this Plan will continue to involve the following as previously included in the 2015-2019 Plan:

- Awareness measures to highlight the dangers associated with bonfires and the harm done to the environment,
- Action by the Council's Environmental Enforcement & Licencing Section to deal with commercial premises and their obligations to properly store their waste, including aerial surveys as required,
- The Public Realm response to remove stockpiles of bonfire materials will commence as soon as necessary most likely in September of each year,
- Liaison with An Garda Síochána regarding action being taken by them and by the Council in relation to this matter,
- Liaison with local resident groups who can help to identify the locations of material stockpiles,
- The Bulbs not Bonfires campaign will run to encourage residents not to allow bonfires to take place in their areas.
- The social credits scheme will continue to facilitate groups who are registered on the scheme with the disposal of materials at the Council's civic amenity site in Ballymount, and this will help to reduce the amount of materials being handed over for bonfires.

The Council's frontline response to counter the accumulation of materials for use in bonfires in public places in advance of Halloween, is the removal of materials placed in public places for the purposes of constructing a bonfire on Halloween and thereafter the removal of waste arising from bonfires.

The Council has in recent years succeeded in driving down the number of illegal bonfires in the county through a combination of public awareness, reward schemes, alternative community activities, enforcement and targeted clean ups.

A total of 280 Halloween bonfire sites were recorded in the County for 2018 compared to 378 bonfires in 2014; a reduction of over 25%

The total cost to the Council's Public Realm Section in 2018 was €138,940. There is no reinstatement of the locations of these fires.

As most of the bonfires take place in parks, open spaces and other public areas, the Council is tasked with the removal of bonfire material before, during and after Halloween. This activity carries a high risk and appropriate Risk Assessments are in place as part of the Council's Safety Management System.

Where bonfire material in a public place is reported to the Council, removal will continue to be prioritised having regard to the following:

- Under power lines
- Against or immediately adjacent to housing or other property
- On main roads where there is likely to be a threat to public transport
- Locations as identified by An Garda Síochána as likely to present a threat to public safety

The Health and Safety of the Council staff involved will be assessed and removal of material will be undertaken during normal working hours. Locations will be checked and prioritised for removal in accordance with the above. The location will be risk assessed by supervisory staff, and Garda support will be sought as appropriate.

In managing this service, the Council is mindful of minimising damage to property and essential services and will prioritise the resources available to ensure best use. It is not physically possible to remove all bonfire material from every reported location at Halloween.

The Council will not remove bonfire material from:

- Private property
- Gated developments
- Gated laneways in housing estates

Appendix III: CCTV & ENVIRONMENTAL TECHNOLOGIES

South Dublin County Council is responsible for the management of several Closed-Circuit Television Camera (CCTV) systems and other technologies which it operates in the County to monitor illegal dumping in known litter and dumping locations.

The Council avails of covert and overt equipment:

- Covert CCTV Equipment – A camera is covert when it is hidden from normal view or otherwise secreted away
- Overt CCTV Equipment – A camera is overt when it is not hidden from general view, regardless of whether an individual sees the monitoring device or knows of its existence
- Drones
- Action Cameras
- Audio Devices

These technologies assist in preventing the creation of litter and the enforcement of the provisions of the Litter Pollution Act 1997, as amended, the Waste Management Act 1996, as amended, and associated regulations to tackle individuals and/ or businesses that are responsible for littering and illegal dumping.

The use of CCTV and other technologies is conducted in a manner compliant with Council policy and all legal and statutory requirements:

- Data Protection Act 2018, GDPR
- Irish Aviation Authority requirements
- South Dublin County Council CCTV Code of Practice

The technologies will be used for reviewing recorded images in the course of management of our enforcement and licensing functions and for conducting surveillance in areas prone to on-going illegal dumping and fly tipping. Public area video monitoring will be conducted only in areas where the public does not have a reasonable expectation of privacy. Cameras will not be directed at private locations.

Hidden or overt cameras will not be installed unless there is a demonstrated need to assist the Council in collecting evidence to assist in investigation of indiscriminate and persistent dumping and illegal activity and will be subject to the approvals set out in the SDCC CCTV Code of Practice.

The monitoring of systems, storage and access to footage shall be conducted in accordance with Council policy and Legal and statutory requirements.

In managing this service, the Council is mindful of resources available and requests for the installation of technologies will be assessed on a case by case basis and have regard to criteria set out above.

Appendix IV: CLEANSING PROTOCOL

The Council engages multitasking crews in litter picking, cleansing, and the removal of illegally dumped material.

Street/ road cleaning, litter picking and servicing litter bins is undertaken on a scheduled basis and approximately 11,609 tonnes of litter, illegal dumping, litter bin arisings and road sweeping waste is collected and disposed of each year (This figure is based on the average figure from the 3 year period 2016-2018 and represents an average increase of 3,459 tonnes of waste as reported in the previous Litter Management Plan)

Road Sweeping:

The Council has a road sweeping and associated services contract in place with an external provider. All roads, housing estates and industrial estates are provided with a road sweeping and litter picking service at agreed frequencies. The associated services provided under this contract are weed control and gulley cleaning.

Bring Banks:

There are 69 recycling/ bring centres in the county. These receive textiles, glass and cans.

Three (3) service providers are engaged in the servicing of the textile facilities. There is a contract in place for the servicing (emptying) of the glass/ can recycling banks.

The service (emptying) at glass/ can recycling banks varies in accordance with the level of need. Most frequently used facilities are emptied every 3-5 days, others on a less regular basis, depending on usage. The operator is responsible for tidying up the surrounding area of the facilities. All litter/ broken glass in the surrounding area (up to 5m away from bottle bank) is collected.

In order to provide evidence of the cleaning, a picture is taken by the operator before and after each cleaning event.

If the litter left at the bottle bank is glass packaging, it is deposited into the bottle bank and when the contractor lifts the receptacles, they are put back on clean ground – i.e., ensure that no litter or cardboard boxes get stuck underneath the bring bank.

If the litter is unrelated to the bottle bank the contractor notifies the Council, where there is high activity of inappropriate use/ dumping at these facilities the council provides a cleaning service at these locations on a twice per week basis (every Monday and Friday).

Litter Bins:

There are currently circa 600 litter bins throughout the county. All these bins are inspected daily and emptied as appropriate.

Community Clean Ups:

Community Clean Ups are managed through the Social Credit Scheme where community groups and schools can apply for assistance with community clean ups.

Applicants for assistance must provide the Council with the following detail:

- date and location of clean up
- contact details of organiser
- location where waste materials will be stored for removal

Waste collected through community clean ups is collected by the Council from the location agreed with the group prior to the clean-up.

CONSULTATION DRAFT

Appendix V: DOG FOULING MANAGEMENT PROTOCOL

Dog fouling is an offence under Section 22 of the Litter Pollution Act, 1997, as amended. Under this Act the person in charge of the dog is subject to a fine or prosecution if they do not immediately remove any faeces deposited by their dog in certain places, and/ or if that person fails to ensure that their dog litter is properly disposed of in a suitable sanitary manner.

The difficulty with enforcement of this section of the Act is the requirement for witness testimony, to report that the offence happened and that an identified person is the person in charge of the dog. The Council continues to encourage residents' groups and/ or individuals to assist the Warden Service in this regard.

While a substantial number of dog owners take responsibility for their dog and cleaning up after it, it would appear to be the case that there is a considerable minority who do not, and will not, clean up after their dog.

The Council is engaged in several awareness campaigns aimed at the prevention and proper disposal of litter and dog fouling.

The Green Dog Walkers Initiative is a community-based project highlighting the issue of dog fouling and promoting the proper way to clean up after your dog. Promotion of this initiative takes place on an ongoing basis through events run by the Council and local community groups. The Green Dog Walkers Initiative provides for awareness pop-up stands at events and leaflets which are available to schools, community centres and businesses to raise awareness of the importance of responsible dog ownership.

A pilot dog stencil scheme raised several issues for the Council including application of the stencils relating to weather dependency, quality of receiving surface and durability. Stencils will however continue to be applied in some regional parks where they are deemed to be effective. Stencils will not be provided on street footpaths in housing estates, main roads, or in towns and villages.

Dog fouling signs will continue to be provided based on a demonstrated need and subject to site suitability.

Appendix VI: GRAFFITI RESPONSE PROTOCOL

To assist in combatting Graffiti, The Anti-Litter and Anti-Graffiti Awareness Grant is made available to community groups and schools through the Environmental Awareness Section. In addition, the South Dublin Canvas project was piloted in 2018 to include 48 traffic light boxes for artwork across the County. Due to the successful nature of this initiative it will be continued in 2019.

It is a criminal offence to deface property, and it is a requirement of Section 20 of the Litter Pollution Act 1997 for property owners to remedy defacement.

The purpose of this protocol is to set out clearly the basic principles for the Council's management of graffiti, and to provide consistency in approach to graffiti removal across the county:

- If the graffiti is on public property, the Council will arrange for its removal. Depending on the type of surface chemicals or paint will be used,
- If the graffiti is on utility boxes belonging to utility companies, the company concerned will be contacted and requested to remove the graffiti. There is currently a formal Memorandum of Understanding in place with four utility providers. These will be kept under review as part of this protocol
- It is the responsibility of all property owners to remove graffiti from their premises. Where graffiti is on private property the Council will request the property owner to remove the graffiti in the first instance. Depending on the location, and if the property faces onto a strategic public place, the Council will endeavour to have the defacement removed. The Council will require indemnity from the property owner or an agent of the property owner to enter onto the property for the purpose of removal of the defacement. The property owner or an agent of the property owner will sign an indemnity, and, in all cases, there will be a fee involved. No works will take place on private property in the absence of such indemnity and no chargeable work will be carried out until such charges are agreed by both parties.

In a limited number of circumstances, it may not be possible to remove the graffiti owing to difficulties accessing sites.

South Dublin County Council Graffiti Indemnity form for Private Property

This form contains important provisions about our liability to you.

Please read it before signing.

I, _____ [insert name] being the freehold owner/freehold owner's agent/tenant/tenant's agent/other (please specify) _____ of the premises known as _____ (the "Premises") give South Dublin County Council or any contractors appointed by them, permission to enter the Premises to remove and/or paint over fly-posting and/or graffiti from the external walls, windows and fronts of the premises.

I understand that this work will be carried out for which there may be a charge incurred to me, as part of South Dublin County Council's initiative for the prevention and removal of graffiti.

I understand also that no chargeable work will be carried out until I have agreed the charge. I also authorise South Dublin County Council and any contractors appointed by them to erect signs warning of prosecution if acts of graffiti or fly posting persist.

I acknowledge that South Dublin County Council, nor any of their contractors, have carried out or arranged to be carried out any inspections, building surveys, assessments or tests regarding the suitability of the Premises for the removal processes used, including (but without limitation) the use of power washers and high pressure hoses.

If the Premises (and/or related property and/or other premises) are damaged as a result of in connection with the above removal then South Dublin County Council, nor their contractors, shall not be liable to any party in any circumstances for any damage whatsoever and however caused (including without limitation in tort, contract and by negligence). South Dublin County Council, and any contractors appointed by them, do not attempt to limit or exclude liability for death or personal injury arising from negligence. I hereby indemnify South Dublin County Council and their contractors from and against any claims, costs, liability and/or proceedings in respect of any damage caused from the removal of such graffiti / fly posting as set out above.

If I am not the property owner, I confirm that I have the freehold owner's permission and full authority to provide this consent and sign this disclaimer on behalf of the freehold owner.

Signed: _____ **Date:** _____

Address: _____

Tel: _____ **Email:** _____

Please return this form to: South Dublin County Council

Alternatively Email To: info@sdublincoco.ie

Appendix VII: LITTER BIN INSTALLATION PROTOCOL

The Public Realm Section is responsible for litter control in all public spaces within the Council's administrative area. As part of this service, Public Realm section provides and maintains a network of 600 litter bins on street and in public parks, open spaces and housing areas across the county.

The purpose of litter bin installation protocol is to address the following issues with the overall objective of improving the cleanliness of the county:

- Ensure litter bins are of an attractive and robust design, fit for purpose and placed in the right locations
- Clear criteria against which litter bin requests can be assessed

The Environment, Water and Climate Change Directorate is the main directorate that provides and services litter bins in the county. These bins are managed by the Public Realm Section. In order to optimise resources and ensure that bins are provided in the most cost-effective manner, while ensuring that they deliver maximum service, it is important to establish the principles of where litter bins will / will not be provided. This will ensure the most effective use is made of budgets for provision and ongoing maintenance.

It is neither desirable nor effective to simply provide litter bins on a request basis. This protocol aims to set out the basic principles for litter bin placement to provide consistency and appropriate coverage in all parts of the county. This should provide greater understanding of litter bin provision and inform requests for new litter bins.

Locations where requests for bins should receive priority for litter bin placements are:

- Town and village centres
- Vicinity of shops such as newsagents, food retailers, supermarkets
- Areas where people congregate e.g. bus stops, tram stops, post offices, public service buildings / offices
- Main routes to schools
- Larger parks greater than 16 hectares in size e.g. in the vicinity of playgrounds and dog runs

Capacity of the location to facilitate safe access for maintenance vehicles (side loader) will be considered in all cases.

Locations that are not considered suitable for litter bin as they tend to attract dumping, vandalism are:

- Residential areas with no mixed usage, especially cul-de-sac type developments, as they attract dumping of household waste around the litter bins
- Parks less than 16 hectares in size where located in residential areas, unless some demonstrable demand exists that cannot be met by bin placement on street

In managing this service, the Council is mindful of all costs when considering requests for new bins. These include not just the initial purchase and installation cost but must also have regard to the ongoing maintenance and servicing costs for each new bin.

Where a request is received for a new/replacement litter bin, each location will be assessed having regard to the criteria set out above, as well as the existing provision of litter bins nearby i.e. within 400m.

CONSULTATION DRAFT