



Local Authority Enforcement Audit Report

Cork City Council

Date of audit 10 04 2025 Audit report Ref: LAET 2025/05/01

PURPOSE OF AUDIT

This audit was carried out in accordance with **Section 63(2)** of the **Environmental Protection Agency (EPA) Acts 1992 & 2003** and aims to assess the performance by the local authority of its statutory functions in relation to environmental protection. This report contains advice and recommendations for the local authority in accordance with **Section 63(3)(a) of the EPA Acts 1992 & 2003**.

1. SUMMARY OF FINDINGS

The EPA notes that Cork City Council are in the process of introducing ISO 14001 and ISO 19001 into the organisation.

Observations were raised in relation to:

- Environmental Complaints Handling; and
- Progress with the National Enforcement Priorities (NEPs) 2022-2024 in the areas of waste, water, and air/noise.

The audit identified good practices, such as the appropriate use of Section 54 under the Air Pollution Act for the resolution of air quality related complaints and use of noise monitoring for the resolution of noise complaints. However, issues were also identified, particularly around management of Section 4 discharge licences and discrepancies in the numbers reported in National Environmental Management Information System (NEMIS) and in the NEP progress reports.

The report outlines specific actions that must be taken in response to these observations.

Cork City Council achieved a Strong or Excellent rating for 60% of the NEPs in 2023. The EPA is currently assessing the 2024 NEP progress reports, which were submitted at the end of February 2025. Local authorities are expected to meet the required standard in 100% of the NEPs by the end of the 2022 – 2024 three-year cycle.

2. SCOPE OF AUDIT & ATTENDEES

The scope of the audit included a review of Cork City Council's enforcement plan under Recommendation 2001/331/EC providing for minimum criteria for environmental inspections (RMCEI), environmental complaint handling, progress in relation to the National Enforcement Priorities (NEPs) under the Local Authority Performance Framework, and resources. During the audit a number of local authority staff were interviewed in relation to statutory environmental functions, NEPs, complaints and RMCEI inspection plans.

Representing the Council:

<u>Name</u>	<u>Position</u>
Paul Moynihan	Director of Service
Tony O'Sullivan	RMCEI Co-Ordinator
Noel Murtagh	Senior Engineer
Eva Martin	Scientist
Mairead Longe	Technician
Patrick Murphy	Technician
Helen Sheehan	Assistant Staff Officer
Thomas Quinn	Executive Scientist
Sinead O'Leary	Assistant Staff Officer
Jean Kent	Clerical Officer
Emma Allen	Assistant Staff Officer
Michelle Keane	Executive Engineer
Robert Woulfe	Executive Engineer

Representing the Environmental Protection Agency:

Maria Lenihan	Inspector I
Anne Laffan	Inspector II
Isabel Valera	Inspector II

3. AUDIT OBSERVATIONS & RECOMMENDATIONS

3.1 Environmental Complaints Handling

Observations:

- Cork City Council informed the EPA that the majority of complaints received are via the Customer Care Unit CRM based system. The staff demonstrated that a case is generated for each waste, water, air and noise complaint on the CRM system and this populates a summary report. For each complaint, a dedicated file is created on the shared drive, pre-populated folders within each file are available to document investigations and action taken, and the summary report is uploaded to the file. In addition, a separate excel-based tracker is maintained to monitor complaints. The litter Unit manages litter complaints.
- An activity log is kept for each complaint which gives a high-level summary of activity for each complaint.
- The complaints tracker includes a column titled 'EPA Code', but this field is not currently being populated. During the review of complaints referred by the EPA, it took time to locate specific cases. Populating this column, when relevant would streamline the search process and improve efficiency.
- Monthly reminder emails are sent to assigned staff regarding open complaints.
- Cork City Council received 180 waste, water, air and noise complaints to date in 2025.
- The logging and management of complaints places a significant administrative burden on staff. However, each complaint reviewed was found to be appropriately addressed and documented to the satisfaction of the EPA.

Table 1: Sample complaints reviewed				
	Reference	Subject	Finding	Action
1.	EPA Ref. No. COM019798 PC24-1264	Burning of suspected illegal fuels.	This complaint was investigated over a period of time and the allegation of burning illegal fuels was not substantiated.	No further action.
2.	PC24-1038	Noise during music events.	Noise monitoring was undertaken, a meeting was held with the company involved and mitigation measures have been proposed for future events.	No further action.
3.	EPA Ref. No. COM018911/ COM018906/ COM018894/ PC24-984	Dust from a facility.	A Section 54 Notice was issued on 24 th June 2024. A method statement for dust monitoring was submitted on 28/03/25 and a detailed report is due on 06/05/25. The facility is being closely monitored by Cork City Council.	On-going investigation.
4.	PC25-1391	Illegal dumping of waste	The Environment Department and Housing Department are working closely together to address this issue. A contractor was engaged to clean up the waste. A waste By-Law presentation letter was hand delivered on the 03/04/25 to the suspected offender and a response is due by 25/04/25.	On-going investigation.
5.	PC24-1086	Water pollution	A new road was being built at the time outside the City boundary. Cork City Council engaged with Cork County Council on the matter and also met with the company building the road. The company took mitigation measures and installed an online turbidity meter at their location. Three other construction sites are also in the area. The river has to be diverted so the company has been informed to notify Inland Fisheries Ireland when they plan to progress work.	Cork City Council are monitoring this area.
6.	PC23-604	Air Pollution	Measures and steps taken by Cork City Council were reviewed.	On-going investigation.

Actions Required:

1. Cork City Council should consider moving to the NEMIS complaints system when it is rolled out to the local authorities to streamline the process and make it more efficient
2. Ensure that the column titled 'EPA Code' is populated on the excel based complaints tracker going forward for complaints referred by the EPA.

3.2 Waste National Enforcement Priorities

Observations:

- Cork City Council met the required standard in all of the Waste NEPs in 2023.

Illegal Waste

- Cork City Council gave an overview of the unauthorised sites of interest that they have on-going enforcement action at and that have been remediated. Eight sites have been identified for CCTV and have gone out for public consultation. A multi-agency operation was carried out in March 2025.
- Cork City Council keep the Waste Convictions Register up to date. Prosecutions in contravention of the Cork City Council (Segregation, Storage and Presentation of Household and Commercial Waste) Bye-Laws 2019 which are an offence under Section 205 of the Local Government Act 2001 should not be reported on the Waste Convictions Register. Convictions under the Waste Management Act are required to be reported on the Waste Convictions register.

Construction & Demolition Waste

- Cork City Council review all Resource and Waste Management Plans submitted in collaboration with the planning department.
- Cork City Council carried out 49 C&D site inspections in 2024. Sample inspections, as well as supporting documentation, were reviewed at the audit for inspections carried out in September 2024. The WERLA inspection template was used.
- Cork City Council carried out 33 Regulation 27 and two Regulation 28 inspections in 2024.

Household & Commercial Waste

- Cork City Council have developed a register of households with or without a waste collection service. Data from the three waste collection companies is collated and updated quarterly.
- Household Surveys are carried out by issuing letters to households in select areas and requesting evidence of a 3-bin waste collection service within a two-week period. The householder's information is cross referenced with the register. Reminder letters are issued and in instances of no response this has been escalated to the issuing of a Fixed Payment Notice (FPN) under the waste presentation Bye-Laws. In some instances, the non-payment of the FPN, following reminders, has resulted in the preparation of prosecution files. 992 surveys were carried out in 2024.
- A high level of compliance was reported from the commercial food waste inspections. Sample inspections, as well as supporting documentation, were reviewed at the audit for an inspection carried out in September 2024. The WERLA inspection template was used.

ELV and Metal Waste

- Cork City Council stated that they have five permitted ELV Authorised Treatment Facilities (ATFs) within their functional area. Inspections were carried out at three of the ATFs in 2024. Cork City Council are reminded that at least one inspection per annum of permitted ATFs and other ELV sites using inspection templates is required under this NEP. Sample inspections, as well as supporting documentation, were reviewed at the audit for WFP-CC-22-002-19 and WFP-CC-2024-28 dated 14/04/2024 and 10/05/2024. WERLA inspection templates were used for these inspections.

Producer Responsibility Initiatives and additional local priorities

- A number of WEEE inspections from 2024 were reviewed. Non-compliances relating to signage and registration were identified during the inspections. Follow-ups were carried out and all sites were compliant by the end of the year.
- Cork City Council outlined the non-compliances found at Deposit Return Scheme and Suspected Major Producer Packaging inspections. Of the inspections carried out in 2024 all sites were compliant at the time of follow-up.

Actions Required:

- Prosecutions in contravention of the Cork City Council (Segregation, Storage and Presentation of Household and Commercial Waste) Bye-Laws 2019 which are an offence under Section 205 of the Local Government Act 2001 should not be reported on the Waste Convictions Register. Convictions under the Waste Management Act are required to be reported on the Waste Convictions register.
- Cork City Council are reminded that at least one inspection per annum of permitted ATFs and other ELV sites using inspection templates is required under this NEP.

3.3 Water National Enforcement Priorities**Observations:**

- Cork City Council did not meet the required standard for any of the Water NEPs in 2023.

Pressures from Agriculture - Farmyards and Farmland

These NEPS will be reviewed separately by the National Agricultural Inspections Team in the EPA.

Domestic Waste Water Treatment Systems (Septic Tanks)

- Cork City Council were required to carry out 12 inspections under the National Inspection Plan (NIP) for Domestic Waste Water Treatment Systems in 2024 and completed all 12 inspections.
- Cork City Council informed the EPA that there are currently four Advisory Notices open, all associated with inspections carried out in December 2024.
- Cork City Council plan to complete inspections earlier this year with the aim that any Advisory Notices can be followed-up and closed out by the end of the year.
- The local authority website has not been updated to reflect the changes to the septic tanks grant scheme announced in November 2023.
- Awareness campaigns for the public on maintenance of septic tanks is not being carried out, with the exception of householders being inspected.

Discharge Licensing / Misconnections

- The Rural Water Section of Cork City Council is responsible for managing the five Section 4 discharge licences. It was noted that a Grade II Technician, who had previously overseen this area, left the position in July 2024. This role remains vacant, the position has been regraded in an effort to fill this position, however it has yet to be advertised. In the interim, the laboratory has been carrying out work in this area.
- Discrepancies were observed between the inspection numbers and compliance rates reported in the NEP progress report and those recorded in NEMIS. It was confirmed that the Rural Water Section provides figures to the Environmental Section for input into NEMIS. A review of the 2024 files showed that four out of the five Section 4 discharge licences had been sampled and analysed on 12 occasions. However, no file was available for the fifth licence, and the reason for the absence of monitoring and analysis data for this discharge was unclear. On the day of the audit, relevant information to determine the compliance rate was not readily accessible. Additionally, there is no tracking system in place for monitoring results—either those carried out by Cork City Council or through self-monitoring.
- In relation to further action in relation to non-compliant discharges it was not clear on the day of the audit what action is being undertaken to address non-compliances.
- There are no waterbodies in Cork City Council with Section 4 discharges identified as significant pressures.
- No specific work on misconnections was reported in 2024. However, 48 unauthorised discharge investigations were recorded on NEMIS, and during discussions with Cork City Council, it was indicated that some of these investigations may have involved misconnection-related work. The EPA was informed that the Roads and Drainage Section of Cork City Council may undertake misconnection investigations as well.

Local Priorities and Water Quality Monitoring

- Cork City Council delivered 100% of the WFD sampling programme in 2024.
- The Private Water Supplies Register was reviewed, there are currently 19 private water supplies on the register. The *Source* of the water and *Scheme Code* is not specified on the Register.
- The Compliance Monitoring Programme for 2025 has not been set up to date this year. The Rural Water Section was due to meet the laboratory to discuss this. The EPA informed Cork City Council that the Compliance Monitoring Programme should be set up at the start of each year.

Actions Required:

1. Update the local authority website to reflect the changes to the septic tanks grant scheme announced in November 2023.
2. Review the current management practices for Section 4 discharge licences and establish appropriate procedures and tracking systems to ensure their effective oversight and enforcement moving forward. Ensure that non-compliant Section 4 discharges are followed up with enforcement actions where necessary.
3. Misconnection surveys are an activity for focus in the Water NEPs and should be undertaken and reported in the 2025 NEP progress report. Ensure that the activities for focus across the four water NEPS for the 2025 to 2027 cycle are addressed.
4. Review and amend the Private Water Supplies Register to include the *Source* of water and *Scheme Code* for each private water supply.
5. Put in place a 2025 Compliance Monitoring Programme for private water supplies without delay. This programme should be determined prior to the start of each year that sets out the compliance monitoring which is in line with the frequencies for Group A and Group B parameters as per the 2023 Drinking Water Regulations.
6. Ensure that all regulated private water supplies are monitoring for compliance with Group A and B parameters at the required frequencies in accordance with the *European Union (Drinking Water) Regulations 2023*. Take proactive measures to identify and register private water supplies that fall within the remit of the *European Union (Drinking Water) Regulations 2023*.

3.4 Air and Noise National Enforcement Priorities

Observations:

In 2023, Cork City County Council met the required standard for work carried out under the Air Quality Monitoring and Data Us; and the Air and Noise Control (including Planning) NEPs. The local authority did not meet the required standard for the Solid Fuel, Environmental Noise Directive (ENDs) and Ongoing Air and Noise Enforcement NEPs. Improvements on the progression of enforcement activities and reporting under these NEPs were noted during the audit.

Solid Fuel

- The Register for solid fuel retailers was reviewed. The Solid Fuel Register is updated every year. One inspection on a transporter of solid fuels was carried out in 2024 and a list of transporters operating in the functional area needs to be compiled. A useful transporter inspection checklist template is used and was reviewed.
- Inspections of solid fuel retailers carried out during 2024 were discussed, inspection templates developed by the Department of Environment, Climate and Communications were used during inspections and were viewed during the audit. The inspection methodology involves visiting sites not visited in the previous year. The main non-compliances found were incorrect or non-existent labelling of wood products.
- A discussion was held in relation to discrepancies between the number of retailer inspections and compliance rates reported in NEMIS and the NEP Progress Report. Clarification was provided on the number of inspections; however the level of compliance needs further clarification.

- Cork City Council's approach to achieve full compliance with labelling requirements by all retailers inspected was explained and the methodology to carry out sulphur testing was also explained. The local authority should follow-up non-compliances with sulphur levels incorporating the templates available on NIECE as appropriate. Cork City Council detailed the steps undertaken for the removal of advertising on the on-line sale of unapproved fuel (turf).
- The local authority website content related to information on Solid Fuel Regulations was discussed. The website should be updated to include information on the Air Pollution Act 1987 (Solid Fuels) Regulations 2022 and the Air Pollution Act 1987 (Solid Fuels) (Amendment) Regulations 2025.
- The targeted communication on solid fuels and possible health impacts with residents in response to air quality complaints was discussed. The EPA recommends engagement with residents during the warmer season when they may be more receptive to the information.

Air Quality Monitoring Activities and Data Use

- Cork City Council's website promotes awareness raising on air quality and includes the Cork City Air Quality Dashboard (<https://corkairquality.ie/>) which provides daily readings on PM_{2.5} levels at 20 different locations in the city and is displayed in a user-friendly format.
- The individual [Links](#) to the EPA National Air quality Monitoring Stations displayed on the local authorities website need to be repaired to provide the public with direct links to the daily readings for each monitoring station.
- The Air Quality Bulletin December 2024 detailed a daily exceedance for PM₁₀ at the Glanmire Road monitoring station on 16/01/2025. Cork City Council should contact the Air Ambient Monitoring Programme Team to validate and confirm this exceedance. In general, Cork City Council should review local air quality data, identify daily exceedances when relevant and plan actions to address the elevated levels of particulates.
- The development of the clean air information website: <https://cleanair.ie/> was commended during the audit. The website displays very useful information on air pollutants, air quality monitoring and resources are included for easy access to the public.
- The plan to collaborate with DECC on a pilot study on air quality at Glanmire Road was discussed.

Air & Noise Controls (including Planning)

- The Environment Section has developed a set of standardised conditions for air and noise controls for different types of developments. A further information request template has also been developed. Both sets of documents were reviewed during the audit.
- An open noise complaint was reviewed. The local authority explained details from the engagement with all parties involved in this complaint. Learnings from this complaint will guide how the local authority approaches similar complaints in the future and may be shared with other local authorities to guide consistent approach.

Ongoing Air & Noise Enforcement Work

- The approach taken by the Cork City Council to carry out inspections under the Solvents, Deco Paints and Petroleum Vapours Regulations was detailed by authorised officers.
- Clarification was provided on the work carried out to identify unauthorised operators and the EPA recommended that this information should be provided in the NEP Progress Report going forward.
- Cork City Council should follow up with two sites registered under the Deco Paints Regulations to secure compliance.
- Solvents, Deco Paints and Petroleum Vapours Registers were reviewed and Cork City Council confirmed that are updated every year. The process of engagement with operators ahead of expiry of certification was provided.

- The use of Section 54 under the Air Pollution Act to deal with air quality complaints related to commercial premises was discussed.

Actions Required:

1. Follow-up on non-compliances with sulphur content. Use the DECC template to ensure consistency of approach.
2. Compile list of transporters of solid fuels in the functional area.
3. Update the local authority website with information on the Air Pollution Act 1987 (Solid Fuels) Regulations 2022 and the Air Pollution Act 1987 (Solid Fuels) (Amendment) Regulations 2025. Update the links to individual EPA Air Ambient Monitoring Programme stations to provide easy public access to daily air quality data in the functional area.
4. Validate and confirm PM₁₀ daily exceedance at Glanmire Road monitoring station and plan actions to address the elevated levels of particulates, if relevant.
5. Include information on the work carried out to identify unauthorised operators under the Solvents, Deco Paints and Petroleum Vapours Regulations in future NEP Progress Reports.

3.5 Resources

Observation:

Cork City Council indicated that a grade II Technician post in the Rural Water Department is vacant since July 2024, that they have been unable to fill that position and it has been regraded in an effort to fill that position.

Action required

Endeavour to fill the vacant position in the Rural Water Department without delay.

4.0 FOLLOW-UP ACTIONS

Cork City Council shall take action to address the observations raised in this report and submit a report to the EPA within **2 months** from the date of issue of this report. The report should provide details of the actions taken (or planned) to address the various recommendations, including timeframes where appropriate. These actions may be checked and verified by the EPA during future audits/inspections. This report is issued without prejudice to the right of the EPA to take any further action which it may in future decide is appropriate, whether under Section 63 of the EPA Acts 1992 and 2003 or otherwise.

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Reviewed by:


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Date:

01/05/25

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01/05/25