



Local Authority Enforcement Audit Report

Leitrim County Council

Date of audit 20 03 2025 Audit report Ref: LAET 2025/04/15

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

Observations were raised in relation to progress with the National Enforcement Priorities (NEPs) 2022-2024 in the areas of waste, water, and air/noise. Issues were identified in record management, follow-up on non-compliances, completion of the required number of DWWTs inspections, and solid fuel inspections.

Actions in relation to the above are required to be taken, as specified in the report.

Leitrim County 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.

Leitrim County Council stated that lack of resources has impacted on the performance by the Council of its statutory environmental protection functions. Leitrim County Council should, therefore, continue to review the staff resources in its environmental section and ensure that this vital work is appropriately prioritised and that adequate resources are deployed to deliver its statutory functions in environmental protection.

2. SCOPE OF AUDIT & ATTENDEES

The scope of the audit included a review of Leitrim County 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>
Vincent Dwyer	Director of Service
Marie Mulligan	Senior Executive Engineer, RMCEI Co-Ordinator
Adrian Kielty	Senior Engineer
Laura McEnroe	Executive Scientist
Lisa Sweeney	Clerical Officer
Sinead Frazer	Environmental Technician
Orla Farrell	Assistant Scientist
Patricia Holahan	Environmental Awareness Officer
Thomas Mayne	Environmental Technician
Deirdre O'Connell	Clerical Officer
Brenda Carey	Environmental Technician
Emma Dunne	Waste Enforcement Technician

Representing the Environmental Protection Agency:

Maria Lenihan	Inspector I
Aoife Loughnane	Inspector I
Anthea Southey	Inspector II

3. AUDIT OBSERVATIONS & RECOMMENDATIONS

3.1 Environmental Complaints Handling

Observations:

- Leitrim County Council developed an Environmental Management Information System (EMIS) to handle complaints more than 10 years ago, it is not compatible with Microsoft Windows and Leitrim County Council is committed to move to the NEMIS complaints system when it goes live.
- Folders are created on the L drive to archive documents related to complaints and a new waste complaint filing system is currently being trialled on the L drive.
- Community wardens use Geopal when out on patrol and a pdf of the issue/complaint is uploaded on EMIS.
- Leitrim County Council informed the audit team that a complaint is not closed until the issue is resolved.
- The high number of complaints open at the end of 2024, mainly waste related was discussed and the audit team were informed that this was due to resource constraints.
- Leitrim County Council are handling and tracking complaints in a satisfactory manner, despite the constraints of EMIS.

Table 1: Sample complaints reviewed				
	Reference	Subject	Finding	Action
1.	EPA Ref. No. COM018485 EMIS:17210	Overtured boats.	Seven S55 Notices were issued in relation to the removal of overturned boats following a mini tornado in Leitrim in December 2023. Four boats were removed by April 2024.	No further action.
2.	EPA Ref. No. COM020093 EMIS:17770	Smoke from Chimneys, suspected use of smoky coal.	Correspondence was issued to all householders in the estate regarding the burning of fuels.	No further action.
3.	EMIS:17760	Odour complaint.	A warning letter was issued on the 12/12/24, requiring actions to be undertaken and a follow-up site inspection undertaken on the 22/01/25. No complaints received since, complaint to remain open until follow-up actions completed and issue is resolved.	On-going investigation.
4.	EMIS: 17885	Slurry spreading in closed period and in unsuitable conditions.	A full farm inspection was completed, in the process of cross reporting to DAFM and further enforcement action is being considered.	On-going investigation.
5	EPA Ref. No. COM020093 EMIS: 17781	Abandoned vehicles.	Vehicles were removed and the associated garage was closed.	No further action.

Actions Required:

1. Take measures to close complaints as soon as possible.

3.2 Waste National Enforcement Priorities

Observations:

- Leitrim County Council met the required standard in four Waste National Enforcement Priorities (NEPs) in 2023; Tackling significant illegal waste activity and Multi-Agency Sites of Interest, End-of-Life Vehicles and Metal Waste, Household & Commercial Waste and Producer Responsibility Initiatives and Local Priorities. The Council failed to meet the required standard in one Waste NEP; Construction and Demolition waste.
- The waste enforcement team consists of two Waste Enforcement Officers (WEOs). One WEO position (Executive Technician) has remained vacant for nearly two years despite two unsuccessful recruitment attempts. The role has since been regraded to Assistant Scientist in an effort to fill the position. The other WEO (Grade I Technician) joined the team in April 2024.
- The WERLA inspection templates were not being utilised for all of the waste sector inspections reviewed.
- Waste related inspections are being carried out but follow-up and close out of issues has not been undertaken in a number of cases due to resource constraints.

Illegal waste

- Four vehicle checkpoints were undertaken in 2024, one Fixed Penalty Notice (FPN) was issued for non-display of the permit number on a waste collection permit vehicle, the FPN was paid, and the permit number is now visible on the vehicle.
- five unauthorised waste collectors are being monitored through social media and training on internet investigative monitoring is scheduled to take place soon.

Construction and Demolition Waste

- The audit team was informed that some but not all resource and waste management plans are reviewed, and this work is not captured under RMCEI category 6.1.7.
- The one Certificate of Registration permitted site Ref. No. COR-LM-15-001-02 expires on the 16/04/25 and has already been capped.
- Four inspections were undertaken in relation to construction and demolition sites, two were in response to complaints, one was in response to a query and WERLA attended two out of the four inspections. Physical site inspection reports were not available for review.
- The audit team was informed that there had been minimal development in Leitrim for a number of years, but activity is now resuming.
- Two Regulation 27 declarations were received in 2024 and site inspections were undertaken in relation to both declarations.

End-of-Life Vehicles and Metal

- Leitrim County Council has one End-of-Life Vehicle Authorised Treatment Facility. A checklist was prepared based on the conditions of the permit and a preliminary site visit was undertaken in conjunction with WERLA. A site inspection report was not available for review.
- The audit team was informed that there are no scrap metal facilities in Leitrim.

Household & Commercial Waste

- In 2023, 24 household surveys were conducted regarding an apartment complex following a complaint about illegal waste dumping. The survey revealed that one apartment lacked a waste collection service. The occupants later vacated the apartment, and no further issues with illegal dumping have been reported since.
- Forty household surveys were distributed in an estate to gather information on waste collection. Follow-ups were conducted with the six non-responding households, including a joint site inspection with the housing department, where three households were engaged. Further correspondence on this matter is planned.
- Leitrim County Council informed the audit team that there are no Waste Facility Permits or Waste Collection Permits for household and commercial waste, based in Leitrim.
- WERLA inspection templates were used for commercial food waste inspections and two out of the six inspections carried out were non-compliant e.g. plastic found in organic bins. Follow-up of the two non-compliant sites was undertaken and they are now compliant.
- It appears that inspections conducted in response to complaints were categorised under RMCEI category 6.1.10, which pertains to planned inspections, instead of the correct category, RMCEI 6.2.9

Producer Responsibility Initiatives (PRIs)

- PRI inspections were carried out in relation to the Deposit Return Scheme, WEEE and battery, tyres, Suspected Major Producers and farm plastics.
- A number of PRI inspections were carried out in collaboration with WERLA and the IFFPG.
- Site inspection reports were not available for review for a number of these site inspections.
- Follow-up in relation to a number of non-compliances, where relevant is required.

Actions Required:

1. Take the necessary steps to follow-up on unresolved non-compliances, ensuring issues are addressed and positive environmental outcomes are achieved.
2. Investigate the five unauthorised waste collectors found via social media, using skills gained from internet investigative monitoring training.
3. Implement measures to ensure the waste enforcement team reviews resource and waste management plans from construction and demolition projects based on risk. Record this work under RMCEI category 6.1.7.
4. Ensure that the waste enforcement team reviews the building register commencement notice updates to guide targeted construction and development sites visits.
5. Ensure the correct RMCEI categories are applied when documenting work across the five waste NEPs.
6. Leitrim County Council are reminded that for 2025, focused action is expected under the WEEE Regulations, Separate Collection (Deposit Return Scheme) Regulations, Tyres Regulations, Battery Regulations as well as where local issues persist.
7. Use relevant inspection templates and guidance from WERLA and ensure site inspection reports are available for review.

3.3 Water National Enforcement Priorities**Observations:**

- Leitrim County Council met the required standard in two Water NEPs in 2023; Discharge Licensing/Misconnections and Local Priorities and Water Quality Monitoring. The Council failed to demonstrate the required standard in three Water NEPs; Pressures from Agriculture (Farm Yards), Pressures from Agriculture (Farmland) and Domestic Waste Water Treatment Systems (Septic Tanks).

Pressures from Agriculture - Farmyards and Farmland

- Leitrim County Council undertook four initial GAP inspections and one follow-up inspection in 2024 which was a significant shortfall in relation to the 46 initial GAP inspections allocated to Leitrim County Council under the National Agricultural Inspection Programme (NAIP) for 2024. This shortfall was due to delays in recruitment of dedicated resource for the NAIP until November 2024.
- The NAIP guidance and training handbook, farm inspection reporting spreadsheets, templates and other training materials have been made available to local authorities on the NIECE portal. The EPA PIP-N and PIP-P maps, and the EPA targeted agriculture measures map will assist with selecting farms for inspection. It was recommended that Leitrim County Council liaise with LAWPRO in relation to selecting water bodies where agriculture has been identified as a significant pressure.
- The farm inspection reporting spreadsheet for 2024 was only completed for the initial and follow up GAP inspections and not for the other types of farm inspections such as planning inspections for farm developments or agricultural complaint investigations.
- Leitrim County Council has been taking enforcement actions for non-compliance with the Good Agriculture Practice (GAP) Regulations, however these have been limited to issuing compliance letters in 2024. Leitrim County Council confirmed during the audit that they will take stronger enforcement action in 2025 including issuing section notices, cross reports to the Department of Agriculture, Food and Marine and taking prosecutions for more serious offences now that the Assistant Scientist is in place.
- A complaint and corresponding investigation in relation to slurry dumping in the closed season and in close proximity to a water course was discussed during the audit. Leitrim County Council were preparing a Cross Report to the Department of Agriculture, Food and Marine.

Domestic Waste Water Treatment Systems (Septic Tanks)

- Leitrim County Council carried out four inspections in 2024 which failed to meet the requirement of 10 inspections as assigned under the National Inspection Plan (NIP) for Domestic Waste Water Treatment Systems. There was also an additional shortfall of 6 inspections from 2023.
- Leitrim County Council had a 75% closure rate of advisory notices at the end of 2024, with 39 advisory notices remaining open.

Discharge Licensing / Misconnections

- Inspection activity of Section 4 discharge licences was low in 2024 due to staff shortages, with only 6 licensed sites inspected for the 11 discharge licences.
- Leitrim County Council identified three non-compliant Section 4 discharges which they are following up.
- There are three waterbodies in Leitrim with Section 4 discharges identified as significant pressures:
 - Legga Stream_020 (Section 4 discharge from a quarry located in County Longford at Moyne)
 - Rinn (IE_SH_26_700) (Section 4 discharge from a facility, non-compliances being followed up by Leitrim County Council)
 - Eslin_020 (Section 4 discharge from a facility, non-compliances to be followed up by Leitrim County Council).

Local Priorities and Water Quality Monitoring

- Leitrim County Council delivered 91.8% of the WFD sampling programme in 2024. They confirmed that drinking water sampling was prioritised over WFD sampling due to staff shortages.
- Following a red dot notification in 2023 for a polluted river site, the Gowlaunrevalgh river has been added as a targeted monitoring site to Leitrim County Council's WFD sampling schedule for 2025.
- The designated bathing water at Keeldra Lough has maintained excellent water quality status in recent years, however algal blooms have necessitated an 'Advice not to swim' notice. A barley straw project is underway in collaboration with Inland Fisheries Ireland to help reduce the proliferation of algal blooms.
- The Private Water Supplies Register was examined during the audit. The register has been updated since the EPA Drinking Water audit carried out in July 2024. Following the departure of a staff member, Leitrim County Council do not currently have access to the EPA's EDEN database to submit drinking water (private supply) data and to respond to any data validation queries from the EPA.

Actions Required:

1. Carry out at least 79 initial GAP inspections in 2025 to meet the requirements of the NAIP (the inspection number is based on the 21 water bodies at risk from agriculture pressures in County Leitrim).
2. Liaise with LAWPRO in relation to selecting water bodies where agriculture has been identified as a significant pressure.
3. The farm inspection reporting spreadsheet shall be completed for all types of farm inspections including GAP inspections, agri-planning inspections and agri-complaint investigations. Follow up inspections shall be undertaken to ensure that corrective actions have been taken by landowners/farm operators to address the non-compliances.
4. Ensure that the full range of enforcement actions are taken in relation to non-compliances identified during farm inspections including issuing compliance letters, section notices and cross reports to the Department of Agriculture, Food and the Marine. It was recommended that Leitrim County Council take prosecutions for more serious offences under the Good Agricultural Practice Regulations or the Water Pollution Act.
5. Attendance of new inspectors at the NAIP training events (through LASNTG) and EPA webinars is strongly recommended in 2025.

6. Ensure that the NEP Progress reports provide an informative summary of the enforcement actions taken, the main types of issues found in farm inspections and a comparison of the compliance rates by year. Examples of positive environmental outcomes and collaboration with other public bodies shall be included.
7. Where farm pollution is visible, aim to collect water samples both upstream and downstream of the discharge to help determine if there has been an environmental impact.
8. Carry out 22 septic tank inspections in 2025 in order to meet the requirements of the National Inspection Plan (NIP) for Domestic Waste Water Treatment Systems (DWWTS) and to make up the inspection shortfall from 2023 and 2024.
9. Ensure there is a focused effort on closing out advisory notices for DWWTS failures open more than two years.
10. Ensure that non-compliant Section 4 discharges are followed up with enforcement actions where necessary, in particular the two licensed discharges identified as significant pressures on Rinn (IE_SH_26_700) and Eslin_020.
11. Ensure that all regulated private water supplies are monitored for compliance with Group A and B parameters at the required frequencies in accordance with the *European Union (Drinking Water) Regulations 2023*.
12. Ensure that Leitrim County Council staff can access the EPA's EDEN database to submit drinking water (private supply) data and to respond to any data validation queries from the EPA.

3.4 Air and Noise National Enforcement Priorities

Observations:

- Leitrim County Council met the required standard in only one Air & Noise NEP in 2023; Solid Fuel. The Council failed to demonstrate the required standard in four Air & Noise NEPs; Air Quality Monitoring and Data Use, Environmental Noise Directive, Air & Noise Controls (including Planning) and Ongoing Air & Noise Enforcement Work.

Solid Fuel

- No activities were undertaken under this NEP in 2024 due to lack of staff resources. Staff have now been recruited and assigned to carry out air & noise enforcement work. In 2025 the Council plans to carry out 8 solid fuel inspections, 1 multi-agency checkpoint and take 10 solid fuel samples to assess compliance with the Solid Fuel Regulations.
- Leitrim County Council has a solid fuel register in place with 20 retailers on the register. The Council confirmed there are no solid fuel producers in Leitrim.
- Two staff members are due to attend the spring meeting of the Local Authority Implementation Group on Solid Fuels, to be held in Donegal in early April.

Air Quality Monitoring & Data Use

- Leitrim County Council's website does not currently provide public access to real-time air quality data for the ambient air quality monitoring station at Carrick on Shannon.

Environmental Noise Directive

- Leitrim County Council submitted their Noise Action Plan 2024-2028 to the EPA in January 2025 and their 2024 Noise Action Plan (NAP) Progress Report to the EPA in February 2025.

Ongoing Air & Noise Enforcement Work

- There are no sites registered under the Solvent Regulations in Leitrim. There are 5 sites registered under the Deco Paints Regulations. The Council's new air enforcement staff were advised to attend the EPA training workshop on Solvents and Deco Paints in May 2025.
- Leitrim County Council's website does not provide links to the best practice guidelines for Solvents and Deco-Paints Operators.

- Leitrim County Council plans to carry out five inspections under the Petroleum Vapours Regulations in 2025, however delivery is contingent on the recruitment of new staff.
- According to Leitrim County Council's annual data returns in NEMIS, 8 air and noise complaints were received in 2024. The outcomes of complaints investigations were not provided in the NEP progress report.

Actions Required:

1. Carry out solid fuel inspections, fuel sampling and multi-agency investigations as set out in the 2025 RMCEI Plan, to assess compliance with the Solid Fuel Regulations.
2. Provide public access via the local authority website to real-time ambient air quality data for the monitoring station at Carrick on Shannon. Review the air quality data and investigate any exceedances where relevant.
3. Take necessary measures to improve performance under the Environmental Noise Directive NEP.
4. Report the outcomes of air and noise complaints investigations in the NEP progress reports.

3.5 Resources

Observation:

There are a number of vacancies in the Environmental Section of Leitrim County Council including a Waste Enforcement Officer and an Executive Technician. Leitrim County Council informed the audit team that the position of Executive Technician has been vacant since February 2023, was advertised twice and was unsuccessful in filling that position. That position has been regraded to Assistant Scientist in an effort to recruit staff and the plan is to advertise for this position.


Action Required

Leitrim County Council should regularly review the staff resources in its environmental section and ensure that this vital work is appropriately prioritised and that adequate resources are deployed to deliver its statutory functions in environmental protection.

4.0 FOLLOW-UP ACTIONS

Leitrim County 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.

Report prepared by:


Maria Lenihan

Reviewed by:


Valerie Doyle

Date:

15/04/25

Date:

15/04/25