Local Authority Enforcement Audit Report

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***.

The audit process is a sample of the performance of a local authority in carrying out its statutory functions in relation to environmental protection.

Audit Detail

Date of Audit	12/08/26
Local Authority	Wicklow County Council
Issue Date	02/09/26
Audit report Ref:	LAET 2026 09 02
Representing the Local Authority	Sarah Mccullough – Acting Director of Services Mary Cahill Senior - Engineer Robert Kelly – RMCEI - Co-Ordinator Paul Brophy – Environmental technician Carmel Canterbury – Senior Staff Officer Marion Doyle – Assistant Staff Officer Tom Griffin – Senior Executive Chemist Eoin Kelly - Administrative Officer Jonathan Sexton – Executive Scientist
EPA Inspectors	Marc Farrelly - Inspector Maria Lenihan – Inspector Kirsty Nolan - Inspector

Summary of Key Findings

Observations raised included staff access to the CRM complaints system, the recording of waste complaint data on NEMIS, the management and enforcement of Section 4 discharge licences, identification and registration of Private Water Supplies, the management of solid fuel inspections and related enforcement activities, the review of air monitoring data, and the lack of progress in advancing work required under the Environmental Noise Directive.

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

Wicklow County Council scored ‘Moderate’ for 20% of the NEPs under the local authority performance framework for 2025. This is of concern to the Agency and must be addressed as a matter of priority by Wicklow County Council.

The local authority must focus on the following three work areas which did not meet the required standard:

- Agriculture (Farmyards);
- Air Quality Monitoring & data Use, and
- Environmental Noise Directive.

Environmental Complaints Handling

	Answer
Each local authority is required under the Governance NEP for 2026 to review and update existing complaints handling procedures and processes to ensure alignment with the revised Environmental Complaints Procedure for Local Authorities. Has this work been undertaken to date?	Yes

Observation

- The complaints procedure was updated to reflect the Environmental Complaints Procedure for Local Authorities, issued in September 2025. A CRM system is in place for the handling and tracking of complaints received but it has limitations e.g. reporting functions. Wicklow County Council looks forward to the roll out of the National Environmental Management Information System (NEMIS) complaints module.
- The Environmental Department is split into two main Sections, the Waste Section and the Pollution Control Section (Water, Air & Noise). The Pollution Control Section does not have access to the CRM system that handles complaints, therefore administrative staff upload complaint data to CRM on their behalf.
- The CRM system does not have an inspection module and non-compliant waste inspections e.g. household and commercial inspections are being uploaded as complaints on the CRM system as a tracking mechanism. As there is no functionality to differentiate inspections from actual complaints, the waste complaint statistics submitted to the NEMIS incorporate both categories. This is leading to inaccurate reporting of waste complaint data.
- It was noted that there were a large number of complaints open at the end of 2025. This was attributed to the high volume of waste complaints received, with more than 1,500 complaints estimated for 2026. A review of the open cases indicates that complaints are being progressed and that there is no significant backlog of historic cases.

Table 1: Sample complaints reviewed

	Reference	Subject	Finding	Action
1.	COM021083/WW-40355-Y9K7	Oil spill	No evidence of an oil spill, the road surface was worn from truck movements.	No further action
2.	COM023299/WW-44678-Z951	Noise	Noise logs not submitted to allow for further investigation of the issue.	No further action

WATER National Enforcement Priorities

Discharge Licences / Misconnections

Observation

- Wicklow County Council has 78 Section 4 discharge licences on the Section 4 discharge licence register and 42 inspections were carried out in the first half of 2026.
- Wicklow County Council does not have a management system in place to track the enforcement of Section 4 discharge licences The audit team was informed that work to correct this is ongoing via the design of a self-sampling reminder system.
- A Section 4 discharge licence to the Ballyronan Stream_010, which has been identified as a significant pressure, was discussed. The current Waste Water Treatment System (WWTS) is not sufficient, and the plan is to replace the WWTS with a foul pumping station, pumping the 200 houses (circa 600 PE) to Greystones WWTS, removing the discharge. This infrastructure is currently at the detailed design stage. No timescale was available for either work start or completion. This issue was raised at a previous EPA audit. Ref.: LAET 2024/04/09.
- An unauthorised discharge noted adjacent to the Kilpoole_Lower_010 is discharging to sea at a rocky outcrop with a timed discharge on a lunar clock. This discharge is a combination of a housing estate and a nursing home. There is a proprietary WWTS in place, but testing at the WWTS and discharge points has not been facilitated yet due to access issues and safety concerns. This is under investigation, with work required by the developers to provide safe sampling points, and eventually the progression to a Section 4 discharge licence.

Local Water Quality Pressures including Septic Tanks and Private Water Supplies

Observation

- Wicklow County Council demonstrated to the audit team that a Standard Operating Procedure (SOP) is in place for the identification and registration of Private Water Supplies (PWS) in the local authority region. However, work in this area is not routinely planned. The Identification and registration of private water supplies that fall within the remit of the Drinking Water Regulations 2023 is an activity for focus in 2026.

Air & Noise National Enforcement Priorities

Solid Fuel

Observation

- On review of solid fuel inspections, it was not clear how inspections and any follow-up enforcement actions including outcomes are scheduled and tracked in a timely manner. Non compliances are generally raised verbally as opposed to written correspondence outlining the non-compliance(s) found.
- Repeat issues were being found in relation to firewood producers, however apart from issuing warning letters there was no clear enforcement plan on how to progress and resolve these issues.
- A total of 70 solid fuel inspections are planned for 2026. No inspections were completed during Q1. The audit team was informed that 36 inspections were carried out in July 2026, with approximately 50% found to be non-compliant. A warning letter was subsequently issued to a firewood producer.

Air Quality Monitoring and Data Use

Observation

- There are three air quality monitoring stations in County Wicklow, located in Bray, Greystones and Arklow. Air quality data from the Bray and Greystones stations are available on www.airquality.ie. The audit team was advised that data from the Arklow monitoring station is reviewed on an intermittent basis. Funding has been allocated to publish this data online; however, the final stage of implementation requires IT support to enable the monitoring data to be displayed on the website. Two PM10 exceedances were recorded at the Greystones monitoring station in May and June 2026. Wicklow County Council was unaware of these exceedances when they were highlighted during the audit.
- Direct links to the Bray and Greystones air quality monitoring stations were not available on the Council's website, and information relating to air quality monitoring is not currently accessible to the public through the website.

Environmental Noise Directive (ENDs)

Observation

- The audit team was informed that the resources required to carry out work relating to Environmental Noise Directives (ENDs) were not available. Responsibility for this work area has been assigned to the Environment Section, and a request for a suitably skilled resource has been submitted to senior management.
- The Noise Action Plan under Round 4 has not progressed due to lack of funding.
- A review of Round 4 Strategic Noise Maps to determine the extent of revisions needed for Round 5 has not been undertaken to date.
- Data required for Round 5 noise modelling has not been collected and collated to date. This work was due to be completed by the 30th June 2026.

Waste National Enforcement Priorities

Household Waste

Observation

- 45 of the 140 planned household inspections have been completed in Q1 and Q2 2026. Households are selected for inspection based on WERLA data and local intelligence. Where there is no evidence of a bin collection service, survey letters are issued and responses are assessed to determine compliance with waste management and segregation requirements. Non-responses are followed up with warning letters, and an escalating enforcement approach is applied where necessary, ranging from Fixed Payment Notices (FPNs) to court proceedings for non-payment.
- It was noted that the assessment of responses to household survey letters is currently not recorded as an inspection under RMCEI Category 6.1.10. This work forms a key element of household waste enforcement activity.
- The WERLA household inspection template has been incorporated into the arc GIS system for use on tablets. Two completed household inspection forms were reviewed and both were compliant on the day of inspection.
- The existing fine for offences under the Wicklow County Council Waste Presentation Bye-Laws is €25, and arrangements are underway to increase this amount to €75.
- The quality of reporting on work undertaken in household waste in the NEP Progress Reports needs to be strengthened. Key areas for improvement have been highlighted in the 2025 Local Authority Performance Framework Report.

Commercial Waste

Observation

- 62 of the 100 planned commercial waste inspections were completed in Q1 and Q2 2026. Sites are selected for inspection based on WERLA data and local intelligence.
- A completed commercial food waste inspection form was reviewed, dated 23/10/25 and was compliant.
- In 2025 Wicklow County Council successfully prosecuted a commercial food waste premises under the Waste Management Food Waste Regulations 2009.
- The quality of reporting on work undertaken in commercial waste in the NEP Progress Reports needs to be strengthened. Key areas for improvement have been highlighted in the 2025 Local Authority Performance Framework Report.

Plastics and Producer Responsibility Initiatives

Observation

- The following PRIs have been identified as key focus areas for 2026: WEEE, Batteries, the Deposit Return Scheme (DRS), and Farm Plastics. All planned DRS inspections for the year have been completed, and the majority of WEEE and Battery inspections have also been carried out. Farm Plastics inspections have not yet commenced; however, Wicklow County Council advised the audit team that these inspections are due to begin shortly.
- The quality of reporting on work undertaken in PRIs in the NEP Progress Reports needs to be strengthened. Key areas for improvement have been highlighted in the 2025 Local Authority Performance Framework Report.

National Environmental Governance Processes

Recording & Reporting of Environmental Inspections, Compliance, and Enforcement Data
Observation
• Local authorities are required to submit environmental inspection and complaints data to NEMIS on a quarterly basis across the waste, water, air, and noise sectors. At the Q2 2026 submission deadline (24/07/2026), no data had been entered by Wicklow County Council. The required data was subsequently uploaded and approved following a notification from NEMIS regarding the missed deadline.

Recommendations & Actions Required

COMPLAINT HANDLING:

1. Provide the Pollution Control Section with appropriate access to the CRM system and training, to record, update and manage complaints within the CRM system.
2. Implement a mechanism to clearly distinguish inspections from complaints within the CRM system and ensure that only complaints are included in statutory reporting.
3. Review the Q1 and Q2 waste complaint data reported to NEMIS and amend to reflect actual waste complaints.

WATER NEPS

1. Implement a master tracker (or multiple trackers) to record and monitor key information for the management of Section 4 discharge licences. This should include risk-rating, compliance status, monitoring results, self-monitoring returns, warning letters issued, and any enforcement actions taken.
2. Ensure that non-compliant discharges are followed up with appropriate enforcement action. Consider establishing a formal procedure to guide the escalation of enforcement actions for non-compliant section 4 discharges, ensuring consistency, transparency, and timely decision-making.
3. Ensure that where required, Section 4 discharge licensed sites are submitting self-monitoring data.
4. Follow up on identified unauthorised discharges, to ensure timely and appropriate regulatory control.
5. Ensure timely progression regarding the delivery of a foul pumping station to replace a WWTS that currently discharges to the Ballyroan Stream_010, where a Section 4 licensed discharge has been identified as a significant pressure.
6. Ensure that work is undertaken to identify and register PWS.

AIR & NOISE NEPS

I. ENDs

1. Resources should be made available to ensure:
   a. Implementation of the Noise Action Plan under Round 4.
   b. Review Round 4 Strategic Noise Maps to determine the extent of revisions needed for Round 5.
   c. Collect and collate data required for Round 5 noise modelling.

II. Air Quality Monitoring and Data Use

1. Ongoing review of air quality monitoring data should be carried out for all of the air quality monitoring stations.
2. Improve the provision of information for the public including updating Wicklow County Council website regarding specific information on air quality monitoring including direct links to the Greystones and Bray sites on www.airquality.ie
3. Review the two exceedances recorded in May and June of 2026 at the Greystones monitoring station and any measure that were taken in response.

III. Solid Fuels

1. Ensure that inspections are carried out during the full heating season i.e., Q1 and Q4.
2. Ensure that any non-compliances identified during inspections are followed up with a written non-compliance notification giving the reason(s) for the non-compliance(s), actions to be completed and by a specific date.
3. Ensure that any follow-up enforcement work is carried out in a timely manner to ensure that any issues are rectified in as short a timeframe as possible.
4. Prepare and implement an Enforcement Plan to address those producers/suppliers and distributors that continue to remain non-compliant following enforcement efforts by Wicklow County Council.
5. Develop a system that enables clear tracking of inspections, their outcomes, follow-up enforcement work carried out and the status of their compliance rate.

WASTE NEPS

1. Record the assessment of responses to household survey letters under RMCEI Category 6.1.10, as this activity forms an integral part of compliance monitoring and enforcement.
2. Address the reporting deficiencies identified in the 2025 Local Authority Performance Framework Report when reporting on waste activity in the 2026 waste NEP progress reports.
3. Progress farm plastic inspections to ensure that all planned inspections are completed in 2026.

GOVERNANCE NEPS

1. Enter environmental inspection and complaints data on a quarterly basis in NEMIS across all environmental sectors of Waste, Water, Air and Noise by the required submission deadlines.

FOLLOW-UP ACTIONS

Wicklow County Council is required to address the recommendations and actions outlined in this report and submit a comprehensive response to the EPA by 28/10/26. The submission should detail the measures taken, or planned, to implement these recommendations and actions, including associated timeframes where applicable. Please note that these actions may be subject to verification by the EPA during future audits or 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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